

18 DECEMBER 1946

I N D E X
of
WITNESSES

Prosecution's Witnesses

	<u>Page</u>
Barnett, James, Chaplain, Canadian Army Active Force	13112
Direct by Brigadier Nolan	13112
Cross by Mr. Logan	13147
" " Mr. Blewett	13158
(Witness excused)	13161

I N D E X
of
EXHIBITS

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
5453	1579		Synopsis of Evidence - P/W Camps in Burma not connected with the Burma/Siam Railway		13097
5275	1580		Affidavit of Major C.E. Green	13098	
5275	1580-A		Excerpt therefrom		13098
5206B	1581		Affidavit of Chaplain F.H. Bashford	13099	
5206B	1581-A		Excerpt therefrom		13099

I N D E X
Of
EXHIBITS
(cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
5038B	1582		Affidavit of Lieutenant Colonel G.E. Ramsey	13100	
			Excerpt therefrom		13100
5038B	1582-A		Affidavit of Wing Commander of L.V. Hudson	13101	
5274	1583		Excerpt therefrom		13102
5274	1583-A		Synopsis of Evidence - Mergui-Kirihkan Road		13104
5454	1584		Affidavit of Major V. Bennett	13104	
5125	1585		Excerpt therefrom		13105
5125	1585-A		Synopsis of Evidence - Civilians in Siam		13107
5455	1586		Affidavit of Miss M.J.M. Magness	13107	
5156	1587		Excerpt therefrom		13107
5156	1587-A		Affirmation of Kalu Ram	13108	
5394	1588		Excerpt therefrom		13109
5394	1588-A				

INDEX

Of

EXHIBITS

(cont'd)

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Eviden.</u>
2753	1589		Synopsis of the Hong Kong Affidavits		13162
5089B	1590		Statement of Mrs. X	13162	
5089B	1590-A		Excerpt therefrom		13163
5089H	1591		Statement of Sister X, Territorial Army Nursing Service	13163	
5089H	1591-A		Excerpt therefrom		13164
5089E	1592		Statement of Sergeant H. Peasegood, R.A.M.C.	13164	
5089E	1592-A		Excerpt therefrom		13165
5089F	1593		Statement of Sergeant J.H. Anderson, R.A.M.C.	13165	
5089F	1593-A		Excerpt therefrom		13166
5100	1594		Affidavit of Captain S.M. Banfill, R.A.M.C.	13166	
5100	1594-A		Excerpt therefrom		13167

I N D E X

OF

EXHIBITS

(cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
5286A	1595		Affidavit of Captain Osler Thomas, Hong Kong Volun- teer Defense Corps	13168	
5286A	1595-A		Excerpt therefrom		13168
5089D	1596		Statement of Corporal N. J. Leath, R.A.M.C.	13169	
5089D	1596-A		Excerpt therefrom		13169
5089C	1597		Statement of Sergeant T. R. Cunningham, R. A. M. C.	13170	
5089C	1597-A		Excerpt therefrom		13171
5287A	1598		Affidavit of Martin Tso Him Chi, 5th Anti Air- craft Battery, Hong Kong Volunteer Defense Corps	13172	
5287A	1598-A		Excerpt therefrom		13172
5289A	1599		Affidavit of Brother Michael Hogan	13173	
5289A	1599-A		Excerpt therefrom		13173
5101	1600		Affidavit of Lance Ser- geant W. A. Hall	13174	
5101	1600-A		Excerpt therefrom		13174

INDEX

OF

EXHIBITS

(cont'd)

<u>Doc. No.</u>	<u>Pros. No.</u>	<u>Def. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
5288A	1601		Affidavit of Colonel L. T. Ride	13175	
5288A	1601-A		Excerpt therefrom		13175
5284A	1602		Statement of 1st Lieutenant TANAKA, Hitoshi	13176	
5284A	1602-A		Excerpt therefrom		13176
5099	1603		Affidavit of Major R. D. Buck, R. A. P. C.	13177	
5099	1603-A		Excerpt therefrom		13177
5093	1604		Affidavit of Lieutenant Colonel George Trist	13178	
5093	1604-A		Excerpt therefrom		13179
5090	1605		Affidavit of Q. M. S. (W/O II) V. J. Myatt, C. M. S. C.	13180	
5090	1605-A		Excerpt therefrom		13180
5095	1606		Affidavit of Lieutenant Colonel F. D. Field, Royal Artillery	13181	
5095	1606-A		Excerpt therefrom		13181
5096	1607		Affidavit of Reverend E. J. Green, M. M., (R. C.)	13182	
5096	1607-A		Excerpt therefrom		13182

INDEX

OF

EXHIBITS

(cont'd)

Doc. No.	Pros. No.	Def. No.	Description	For Ident.	In Evidence
5089A	1608		Affidavit of Lieutenant Colonel C. O. Shackleton, R. A. M. C.	13183	
5089A	1608-1		Excerpt therefrom		13184
5456	1609		Synopsis re the Andaman Islands		13185
5113	1610		Affirmation of Abdul Reza	13185	
5113	1610-1		Excerpt therefrom		13186
5115	1611		Affirmation of Pyeray Mohan	13186	
5115	1611-1		Excerpt therefrom		13186
5114	1612		Affirmation of Habib- Urrahman	13187	
5114	1612-1		Excerpt therefrom		13187
5116	1613		Affirmation of Zaitoon Bibi	13188	
5116	1613-1		Excerpt therefrom		13188
5117	1614		Affirmation of Mohamed Hussain	13189	
5117	1614-1		Excerpt therefrom		13190
5317	1615		Affirmation of Imdad Ali	13190	
5317	1615-1		Excerpt therefrom		13191

INDEX

of

EXHIBITS

(cont'd)

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
5318	1616		Affirmation of Murad Ali	13192	
			Excerpt therefrom		13192
5318	1616-A		Statement of Bumi Nadan	13193	
5319	1617		Excerpt therefrom		13194
5319	1617-A		Affirmation of Mohammad (Coolie)	13194	
5321	1618		Excerpt therefrom		13195
5321	1618-A		Statement of Nihei Yamane	13195	
5322	1619		Excerpt therefrom		13196
5322	1619-A		Statement of Leslie, a Nicobarese	13196	
5112	1620		Excerpt therefrom		13197
5112	1620-A		Statement of Mrs. I. Jones	13198	
5111	1621		Excerpt therefrom		13198
5111	1621-A		Statement of Reverend John Richardson	13199	
5110	1622		Excerpt therefrom		13200
5110	1622-A		Synopsis of Evidence - Hainan Island		13201
5457	1623				

INDEX

of

EXHIBITS

(cont'd)

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
5335	1624		Affidavit of Dr. W. Aitkin	13201	
			Excerpt therefrom		13202
5335	1624-A		Affidavit of Major I. F. Macrae	13203	
5264A	1625		Excerpt therefrom		13203
5264A	1625-A		Affidavit of A.F. Winsor	13204	
5250	1626		Excerpt therefrom		13205
5250	1626-A		Affidavit of Major R.G. Turner	13205	
5251	1627		Excerpt therefrom		13206
5251	1627-A		Photographs (submitted with prosecution's document 5251 for identification only)		13207
			Synopsis of Evidence - Formosa		13208
5458	1628		Affidavit of Colonel C.R. Stringer, R.A.M.C.	13208	
5182	1629		Excerpt therefrom		13208
5182	1629-A		Affidavit of James Cross, Lieutenant, Royal Artillery		13210
5172	1630				

1 Wednesday, 18 December, 1946

2 - - -

3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, same as before with
14 the exception of: HONORABLE JUSTICE D. JARANILIA,
15 Member from the Republic of the Philippines, not
16 sitting.

17 For the Prosecution Section, same as before.

18 For the Defense Section, same as before.

19 The Accused:

20 All present except OKAWA, Shumei, who is
21 represented by his counsel.

22 - - -

23 (English to Japanese and Japanese
24 to English interpretation was made by the
25 Language Section, IMTFE.)

1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: Major Moore.

4 LANGUAGE ARBITER (Major Moore): Mr. Presi-
5 dent, with the Tribunal's permission we present the
6 following language corrections. These corrections
7 have been agreed upon by both prosecution and defense.

8 Exhibit 507, record page 6,129, line 10,
9 delete from "appreciates" to the end of the paragraph
10 and read "appreciated the idea of an understanding
11 with Russia and that there was certainly a prospect of
12 these ideas soon finding acceptance in Japanese foreign
13 policy. SHIRATORI, who would soon return to Tokyo
14 from his post of Ambassador in Rome, would also work
15 along these lines."

16 THE PRESIDENT: Mr. Justice Mansfield.

17 MR. JUSTICE MANSFIELD: If the Tribunal please,
18 I tender prosecution document No. 5453, a further
19 synopsis.

20 THE PRESIDENT: Admitted on the usual terms.

21 CLERK OF THE COURT: Prosecution's document
22 No. 5453 will receive exhibit No. 1579 for identification.

23 (Whereupon, the document above
24 referred to was marked prosecution's exhibit
25 No. 1579, and was received in evidence.)

1 MR. JUSTICE MANSFIELD: Prisoner of war camps
2 in Burma not connected with the Burma-Siam Railway.

3 Prosecution document numbered 5275, the
4 affidavit of Major C. E. Green, is now introduced for
5 identification.

6 CLERK OF THE COURT: Prosecution's document
7 No. 5275 will receive exhibit No. 1580 for identifica-
8 tion only.

9 (Whereupon, the document above
10 referred to was marked prosecution's exhibit
11 No. 1580 for identification.)

12 MR. JUSTICE MANSFIELD: And the marked
13 excerpts therein being offered in evidence.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: And the marked excerpt
16 therefrom, bearing the same document number, will
17 receive exhibit No. 1580-A.

18 (Whereupon, the document above
19 referred to was marked prosecution's exhibit
20 No. 1580-A, and was received in evidence.)

21 MR. JUSTICE MANSFIELD: This document states
22 that at Aerodrome Camp, Victoria Point, in June 1942,
23 a prisoner of war having escaped, a number of other
24 prisoners of war and officers were imprisoned until
25 the man's recapture. When the man was found, the

1 Japanese senior officer said that there was an order
2 that anyone attempting to escape was to be shot and
3 that this man, therefore, had to be shot. The witness,
4 as the camp commandant, made every attempt to prevent
5 the execution, which was nevertheless carried out
6 in front of the witness. There had been no trial.

7 Prosecution document numbered 5206-B, the
8 affidavit of Chaplain F. H. Bashford, is tendered for
9 identification.

10 CLERK OF THE COURT: Prosecution's document
11 No. 5206-B will receive exhibit No. 1581.

12 (Whereupon, the document above
13 referred to was marked prosecution's exhibit
14 No. 1581 for identification.)

15 MR. JUSTICE MANSFIELD: And the marked excerpts
16 thereof introduced in evidence.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: The marked excerpt
19 therefrom, bearing the same document number, will
20 receive exhibit No. 1581-A.

21 (Whereupon, the document above
22 referred to was marked prosecution's exhibit
23 No. 1581-A, and was received in evidence.)

24 MR. JUSTICE MANSFIELD: This document states
25 that in June 1942 eight prisoners of war escaped from

1 Tavoy Aerodrome Camp. On recapture, they were executed,
2 the witness being present. Letters of protest against
3 the execution by the senior British officer were of no
4 avail.

5 Prosecution document numbered 5038-B, the
6 affidavit of Lieutenant Colonel G. E. Ramsey, is now
7 offered for identification.

8 CLERK OF THE COURT: Prosecution's document
9 No. 5038-B will receive exhibit No. 1582 for identi-
10 fication only.

11 (Whereupon, the document above
12 referred to was marked prosecution's exhibit
13 No. 1582 for identification.)

14 MR. JUSTICE MANSFIELD: The marked excerpts
15 thereof being produced in evidence.

16 THE PRESIDENT: Admitted on the usual terms.

17 CLERK OF THE COURT: The marked excerpt
18 therefrom, bearing the same document number, will
19 receive exhibit No. 1582-A.

20 (Whereupon, the document above
21 referred to was marked prosecution's exhibit
22 No. 1582-A, and was received in evidence.)

23 MR. JUSTICE MANSFIELD: This document states
24 that in May 1942, the witness was commanding a
25 prisoner of war camp at Mergui. The camp was

1 overcrowded, many of the men had dysentery, and hos-
2 pital facilities did not exist.

3 Three men were shot for allegedly trying to
4 escape. The witness made representations to the
5 Japanese commander, to no avail.

6 At Tavoy in September 1942, prisoners of war
7 were employed on enlarging a military aerodrome.
8 Three men accused of stealing stores were taken to the
9 gaol and there tortured savagely by the Kempeitai.

10 THE PRESIDENT: Mr. Justice Mansfield, the
11 three Australians shot at Mergui were Daveys, Bell and
12 Shuberth. We had evidence about them before.

13 MR. JUSTICE MANSFIELD: That is correct.

14 THE PRESIDENT: In the future we would like
15 you to indicate when an execution like this has been
16 previously testified to or any other atrocity of any
17 importance.

18 MR. JUSTICE MANSFIELD: Yes, I will do that.

19 Prosecution document numbered 5274, the affi-
20 davit of Wing Commander L. V. Hudson, is tendered for
21 identification.

22 CLERK OF THE COURT: Prosecution's document
23 No. 5274 will receive exhibit No. 1583 for identifica-
24 tion only.

25 (Whereupon, the document above

1 referred to was marked prosecution's exhibit
2 No. 1583 for identification.)

3 MR. JUSTICE MANSFIELD: And the excerpts
4 marked therein produced in evidence.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: And the excerpt there-
7 from, bearing the same document number, will receive
8 exhibit No. 1583-A.

9 (Whereupon, the document above
10 referred to was marked prosecution's exhibit
11 No. 1583-A, and was received in evidence.)

12 MR. JUSTICE MANSFIELD: This document states
13 that in March 1945, at Rangoon Prison, two men who
14 were seriously ill were refused medical aid by the
15 Japanese doctor, who said they were dying anyway. In
16 fact, the men did die within a week.

17 On numerous occasions the doctor and his
18 orderly were asked for treatment to which the answer
19 was, as before, that since the men were dying, to give
20 drugs to them would be a waste.

21 The commandant of the prison inspected the
22 pitiful bareness of the cell which served as a hospital
23 and saw the condition of the sick without comment.

24 The witness was beaten up by the doctor and
25 his medical orderly for writing a complaint to the

1 commandant on the conditions in which the sick were
2 living.
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1 I produce prosecution document No. 5454.

2 THE PRESIDENT: Admitted on the usual
3 terms.

4 CLERK OF THE COURT: Prosecution's docu-
5 ment No. 5454 will receive exhibit No. 1584.

6 ("Whereupon, the document above
7 referred to was marked prosecution's ex-
8 hibit No. 1584 and received in evidence.)

9 MR. JUSTICE MANSFIELD: Mergui -- Kirihkan
10 Road. Prosecution document numbered 5125, the
11 affidavit of Major V. Bennett, is now introduced
12 for identification.

13 CLERK OF THE COURT: Prosecution's docu-
14 ment No. 5125 will receive exhibit No. 1585 for
15 identification only.

16 THE PRESIDENT: Admitted on the usual
17 terms.

18 ("Whereupon, the document above
19 referred to was marked prosecution's ex-
20 hibit No. 1585 for identification only.)

21 MR. JUSTICE MANSFIELD: The excerpts
22 marked wherein are now offered in evidence.

23 THE PRESIDENT: Admitted on the usual
24 terms.

25 CLERK OF THE COURT: And the marked ex-

1 When this was the case there was no opportunity for
2 prisoners to have meals in camp, and buckets of
3 rice and vegetable stew had to be sent out to the
4 working site.

5 "The sick rate which had been about 30 to
6 40 men per day rose after about three weeks to 60 to
7 70 men per day, the most usual complaints being
8 deficiency diseases and malaria. In view of the
9 high sick rate as aforesaid, I had to ask for some
10 of the worst cases to be evacuated. This was
11 always refused...."

12 Medical supplies were meagre. Although
13 no deaths occurred among prisoners of war at this
14 camp, of the total of about 1,000 men who set out
15 from Nakompaton to build the road, about 250 died
16 in four months owing to the lack of medical sup-
17 plies, overwork, inadequate food and the dis-
18 graceful living conditions.

19 I tender prosecution document No. 5455,
20 which is a further synopsis.

21 THE PRESIDENT: Admitted on the usual
22 terms.

23 CLERK OF THE COURT: Prosecution's docu-
24 ment No. 5455 will receive exhibit number 1586.

25 ("thereupon, the document above

cerpts therefrom, bearing the same document number, will receive exhibit No. 1585-A.

(Whereupon, the document above referred to was marked prosecution's exhibit No. 1585-A and received in evidence.)

MR. JUSTICE MANSFIELD: This document states that in April, 1945, the witness arrived at Top Camp, which was to be used to accommodate prisoners building the road from Mergui to Kirikhan.

"...The Top Camp had been used for the accommodation of coolies who had left before we arrived. There were three very broken down huts, one without a roof. This was the season when it rained almost continuously and in view of the fact that the huts were situated in a ravine surrounded by high trees, we never had the chance to dry our kit and clothing.

"The food consisted of rice and dry vegetables and was so short in quantity that after about three weeks most of the prisoners were suffering from beriberi and other deficiency diseases. Added to the shortage of food, prisoners were subjected to excessive work, and I remember a period when work went on from about 0830 in the morning until two or three o'clock the following morning.

1 When this was the case there was no opportunity for
2 prisoners to have meals in camp, and buckets of
3 rice and vegetable stew had to be sent out to the
4 working site.

5 "The sick rate which had been about 30 to
6 40 men per day rose after about three weeks to 60 to
7 70 men per day, the most usual complaints being
8 deficiency diseases and malaria. In view of the
9 high sick rate as aforesaid, I had to ask for some
10 of the worst cases to be evacuated. This was
11 always refused...."

12 Medical supplies were meagre. Although
13 no deaths occurred among prisoners of war at this
14 camp, of the total of about 1,000 men who set out
15 from Nakompaton to build the road, about 250 died
16 in four months owing to the lack of medical sup-
17 plies, overwork, inadequate food and the dis-
18 graceful living conditions.

19 I tender prosecution document No. 5455,
20 which is a further synopsis.

21 THE PRESIDENT: Admitted on the usual
22 terms.

23 CLERK OF THE COURT: Prosecution's docu-
24 ment No. 5455 will receive exhibit number 1586.

25 ("Whereupon, the document above

1 referred to was marked prosecution's ex-
2 hibit No. 1586 and received in evidence.)

3 MR. JUSTICE MANSFIELD: Civilians in Siam.
4 Prosecution document numbered 5156, the affidavit of
5 Miss H.J.M. Magness, is offered for identification.

6 CLERK OF THE COURT: Prosecution's document
7 No. 5156 will receive exhibit No. 1587 for identifi-
8 cation only.

9 ("Whereupon, the document above re-
10 ferred to was marked prosecution's exhibit
11 No. 1587 for identification only.)

12 MR. JUSTICE MANSFIELD: And the marked
13 excerpts therein now produced in evidence.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: The excerpts therefrom,
16 bearing the same document number, will receive ex-
17 hibit No. 1587-A.

18 ("Whereupon, the document above re-
19 ferred to was marked prosecution's exhibit
20 No. 1587-A and received in evidence.)

21 MR. JUSTICE MANSFIELD: This document states
22 that the witness was with twenty-one other
23 Europeans interned at Jampang Tob. On 13 December,
24 1941, eight Indian soldiers were pushed into the
25 room where the internees were living. Shortly after
a Japanese soldier threw a hand grenade into the

1 room. The witness was unable to move, as her hip
2 was injured. Two Japanese soldiers entered the
3 room, one firing an automatic gun, the other bayonet-
4 ing people lying on the floor. The witness was
5 lying underneath some people and was thus saved
6 from further injury.

7 A number of people were killed and many
8 others injured. The Japanese then made off in a
9 lorry.

10 Prosecution document numbered 5394, the
11 affirmation of Kalu Ram, is now introduced for
12 identification.

13 CLERK OF THE COURT: Prosecution's docu-
14 ment No. 5394 will receive exhibit No. 1588 for
15 identification only.

16 ("Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 1588 for identification only.)

19 MR. JUSTICE MANSFIELD: And the excerpts
20 marked therein produced in evidence.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: And the excerpts
23 therefrom, bearing the same document number, will
24 receive exhibit No. 1588-A.

25 ("Whereupon, the document above

1 referred to was marked prosecution's ex-
2 hibit No. 1588-A and received in evidence.)

3 I.R. JUSTICE MANSFIELD: This document states
4 that the witness was arrested by the Kampeitai at
5 Ranaung. When Siamese policemen tried to procure
6 the witness' release, they too were arrested.

7 Ram was taken to Crumporn:

8 "...For the next ten days I was beaten
9 with a big stick, while my hands and feet were
10 tied, and told to speak the truth. I do not know
11 what they wanted me to speak the truth about, as
12 they asked me no questions. During this time I
13 was given a small ball of rice and a stick of raw
14 cucumber daily for food.

15 "On the eleventh day, water was forced
16 into my stomach, and when my stomach was full, the
17 Japs jumped on it and I became unconscious. I was
18 brought round by two Jap soldiers who threw cold
19 water over me.

20 "For the next two days I was suspended from
21 a beam by the wrists, with my toes barely touching
22 the ground. There was a wire tied to my wrists and
23 a clamp fastened to my waist. Electricity was
24 passed through these wires and my arms and body
25 were burned. The pain made me cry out continually,

1 and there seemed to be hooks plucking at my whole
2 body. After two days of almost continual current
3 being passed through me, during which time I was
4 only given small quantities of water to drink, I
5 became unconscious.

6 "Before this, the Japs accused me of
7 being a British spy, and of photographing aero-
8 planes, and sending messages to London.

9 "As I cannot even write my name, I tried
10 to point out that this charge was ridiculous. They
11 did not stop the current....

12 "During this time I saw Musa Memon, who
13 was arrested the day before me, being given the
14 water torture by the same M.P.'s who tortured me.

15 "The M.P.'s were still trying to make me
16 confess that I was a British spy.

17 "After I arrived at Kawachi from Chumporn,
18 my wrists and legs were charred to the bone from
19 the results of the electric tortures and just as they
20 were healing, the M.P.'s used to stick burning
21 cigarettes into the sores.

22 "In the end they tied some thin fishing
23 line on to my testicles, with such a knot that the
24 blood was cut off from those organs. The other
25 end of the fishing line was tied to the wall. I

1 was made to lie down, and the line was tightened.
2 Then a rope was put around my neck and it was
3 pulled tight to the opposite wall. I was in con-
4 siderable pain. Then the M.P. loaded a rifle
5 and threatened to shoot me if I did not tell them
6 where the wireless set was hidden. I implored them
7 to kill me, as I knew nothing and would only have
8 to be subjected to more torture if I lived. I was
9 then released and brought towards the gaol. I
10 asked to be allowed to go to the M.C. and was led
11 towards that place, through the bathroom. On the
12 floor of the bathroom I saw the body of Musa. He
13 was definitely dead, and his body was naked and
14 covered with lime....

15 "...the Japanese continued to beat me. I
16 was there for about seven months. Once, a tall
17 M.P. with a lot of gold teeth put a red-hot wire
18 up the centre of my penis. I was beaten almost
19 daily, and in the end could not even walk."

20 The case for the prosecution will now be
21 continued by Brigadier Nolan, if the Court please.
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23
24
25

BARNETT

DIRECT

THE PRESIDENT: Brigadier Nolan.

BRIGADIER NOLAN: If it please the Tribunal,
I call as a witness Captain James Barnett, of the
Canadian Army.

J A M E S B A R N E T T, called as a witness
on behalf of the prosecution, being first
duly sworn, testified as follows:

DIRECT EXAMINATION

BY BRIGADIER NOLAN:

Q What is your full name, please?

A James Barnett.

Q And where do you live?

A Quebec City.

Q What is your present occupation?

A I am a chaplain in the Canadian Army Active
Force.

Q When did you become a member of the Canadian
Army?

A I became a member of the Canadian Army in
August 1940.

Q Where were you stationed in 1941?

A I was stationed in Hong Kong at the end of
1941.

Q When did you arrive in Hong Kong?

A 16th of November, 1941.

BARNETT

DIRECT

1 Q In what regiment were you serving at that
2 time?

3 A The Royal Rifles of Canada, from Quebec City.

4 Q How was the garrison at Hong Kong made up?

5 A The Hong Kong garrison was made up of the
6 two Indian regiments, the Rajputs and the Punjabis;
7 two British regiments, the Middlesex and the Royal
8 Scots, together with a regiment of artillery; two
9 Canadian regiments, the Royal Rifles of Canada from
10 Quebec City and the Winnipeg Grenadiers, Winnipeg.

11 Q And you were serving with the Royal Rifles
12 of Canada as a chaplain to that regiment?

13 A I was.
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1 Q Where were you on the 25th of December, 1945?

2 A I was in St. Stephens College Hospital at
3 Stanley on the Island of Hong Kong.

4 Q And what was St. Stephens College Hospital?

5 A Prior to the war it was a school for boys
6 but was commandeered at the beginning of the war as
7 one of the hospitals to which wounded men were taken.

8 Q Will you describe what happened on Christmas
9 Day, the 25th of December, 1941, at this hospital?

10 A At 6 o'clock, about 6 o'clock in the morning
11 of Christmas Day, 1941, the Japanese troops entered
12 St. Stephens College Hospital. I saw five Japanese
13 soldiers bayonet fifteen to twenty wounded men while
14 they were still in bed.

15 Q How many patients and nurses were there in
16 the hospital at that time?

17 A About 160 to 175 patients and seven nurses.

18 Q Then what happened?

19 A After that the Japanese herded all those
20 who could walk, patients and staff, and put them into
21 a storeroom. After we had been there for about an
22 hour the Japanese moved us to a smaller room. Up
23 till this time the nurses had been with me, but as we
24 were being moved from the storeroom to the small room
25 the nurses were separated from me. I saw one of the

BARNETT

DIRECT

1 nurses beaten over the head with a steel helmet,
2 kicked and slapped in the face, by a Japanese soldier.
3 In the small room in which I was placed, 90 men were
4 placed there with me -- some of the hospital staff
5 and some of the wounded men. The room was so small
6 that we couldn't all sit down together and it was
7 necessary for the very sick or wounded men to lie
8 down as best they could and when they could. After
9 we had been in the room a little while an unknown
10 Japanese soldier came to the door, made us put up our
11 arms, and took away my watch, my ring, and some money
12 which I had in my pocket. Later on another Japanese
13 soldier came with a sack of ammunition and threw
14 bullets into our faces. Later on another Japanese
15 soldier came and took a rifleman out of the room and
16 as soon as he got into the corridor we heard screams
17 which I believe came from the rifleman. A little while
18 later another Japanese soldier came and took another
19 rifleman out of the room. When they got out of the
20 room we heard more screams which I also believe came
21 from the rifleman taken out.

22 Q How long were you in this particular room,
23 Captain Barnett?

24 A We were in this room from approximately
25 7 o'clock in the morning until 4 o'clock in the

BARNETT

DIRECT

1 afternoon.

2 Q What happened at 4 o'clock in the afternoon?

3 A At 4 o'clock in the afternoon a Japanese
4 soldier came and by sign language told us that Hong
5 Kong had surrendered.

6 Q The next day, the 26th of December, you made
7 a tour of the hospital?

8 A Yes.

9 Q What did you see?

10 A The hospital was in a dreadful state. I
11 found the two men who had been taken out of our room,
12 their bodies badly mutilated, their ears, tongues,
13 noses and eyes cut away from their faces; about 70
14 men, wounded men, killed by bayonet in their beds;
15 many more men more seriously wounded than they were.

16 Q Were these patients of whom you have just been
17 speaking armed?

18 A None of the patients were armed nor, yet,
19 was the hospital staff, nor were there any armed troops
20 in the hospital or around the grounds.

21 Q Where was the commanding officer of the
22 hospital?

23 A I found the commanding officer of the hospital,
24 together with his adjutant, down on the ground floor,
25 their bodies very badly mutilated. They were dead.

BARNETT

DIRECT

1 Q Did you see any of the nurses?

2 A I was anxious about the nurses and for some
3 time did not see them, but during the morning I saw
4 four of them coming towards me. They were in a
5 dreadful state and they had had a very bad time all
6 through the night. They had been assaulted by Japanese
7 soldiers and one of them told me she was forced to
8 lie on two dead bodies and used by the Japanese as
9 they chose.

10 Q When you say they had been assaulted, what
11 do you mean by the word "assault"?

12 A They had been raped by the Japanese.

13 Q You spoke of four nurses. Where were the
14 other three?

15 A At first we couldn't find them. We didn't
16 know where they were. Sometime in the morning one of
17 the nurses came to me and said that a Japanese soldier
18 wanted her to go out of the hospital into the grounds
19 with him. She asked me to go with her and I asked a
20 RAMC sergeant to accompany us. The Japanese soldier
21 took us to a clump of bushes about a hundred feet away
22 from the hospital building. Under the bushes, covered
23 with blankets, we found the bodies of the three dead
24 nurses. One of the nurses had her head practically
25 severed from her body.

BARNETT

DIRECT

1 Q What was the name of the non-commissioned
2 officer from the Royal Army Medical Corps who was
3 with you?

4 A Sergeant Peasegood.

5 Q Were burial parties organized?

6 A I started to organize burial parties but the
7 Japanese soldiers forced us to build a fire and
8 cremate all the bodies that were around the hospital.

9 Q How many were cremated?

10 A I cremated about one hundred and seventy or
11 eighty bodies. A number of these bodies came from the
12 hospital and some from battle fields lying around
13 away from the hospital.

14 Q What happened to the food and medical
15 supplies in the hospital?

16 A On the 26th of December, 1941, I saw the
17 Japanese looting all the food in the hospital, and large
18 quantities of medical supplies and equipment, and took
19 them away on trucks.

20 Q Did you, yourself, have any food?

21 A I had no food from the 24th of December until
22 the night of the 27th of December.

23 Q Where did this food come from?

24 A This was food that had been missed by the
25 Japanese soldiers.

BARNETT

DIRECT

1 Q What was done with the wounded?

2 A Between December the 27th and the 29th we
3 managed to move all our wounded patients either to
4 Bowen Road Military Hospital or to Stanley Barracks
5 Military Hospital.

6 Q What was done with the hospital staff?

7 A The hospital staff was moved to Stanley
8 Barracks and at Stanley Barracks I rejoined my
9 regiment.

10 Q Were there any signs on this hospital?

11 A We were flying the Red Cross Hospital sign
12 but it was shot down at least twice.

13 Q Will you describe for me the circumstances
14 under which you left Stanley Barracks in December,
15 1941?

16 A On December the 30th all troops at Stanley
17 Barracks were ordered, forced, to march to a camp at
18 North Point. The march wasn't a very hard one because
19 we were given frequent rests, and we were able to have
20 some food on the way which we had collected at Stanley
21 Barracks.

22 Q How many men were in this party?

23 A About 2,500 men and officers.

24 Q Will you describe for me very briefly what
25 prisoner of war camps there were in the Hong Kong area?

1 A There were three prisoner of war camps in
2 the Hong Kong area besides hospitals. There was
3 North Point Camp, Shamshuipo Camp, Argyle Street
4 Camp, and Bowen Road Military Hospital.

5 Q You have been speaking about North Point
6 Camp. Was that on the island or on the mainland?

7 A That was on the Island of Hong Kong.

8 Q Am I right in saying that only Shamshuipo
9 Camp was on the mainland?

10 A No. Shamshuipo Camp and Argyle Street Camps
11 were on the mainland.

12 Q What did you do when you arrived at North
13 Point Camp?

14 A When I arrived at North Point Camp I had
15 two very sick men to look after, one suffering from
16 malaria and one that had been wounded that we had
17 picked up on the road. When we got to North Point Camp
18 I asked Brigadier Wallace to grant me grant me his
19 permission to take them to the hospital, and also
20 went to see Lieut. HONDA, the camp commandant, to ask
21 his permission to leave the camp. Lieut. HONDA gave
22 me permission to leave the camp, the use of his car
23 and a pass to take these men to the hospital. I took
24 the men to the hospital and when I came back from the
25 hospital to North Point Camp I brought Captain Robinson

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1 with me, of the hoyal Army Medical Corps, and also
2 a few drugs.
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1 Q The next day you had a conversation with
2 Lieutenant HONDA?

3 A As I was walking around the prison compound,
4 Lieutenant HONDA came to me and asked me if I would
5 like to go for a drive downtown.

6 THE MONITOR: Mr. Witness, is he a first
7 or second lieutenant, do you know?

8 Q Is he a first or second lieutenant?

9 A That I could not say. Lieutenant HONDA asked
10 me to get a driver, and I did; and I got some money,
11 and we went downtown. As we were driving downtown
12 Lieutenant asked me my name. I told him Barnett,
13 and he said, "Not Banfill," and I replied, "No,
14 although I know Captain Banfill as he is our medical
15 officer." I told Lieutenant HONDA that we believed
16 that Captain Banfill had been killed; and he replied,
17 "Oh, no. I took him prisoner." Lieutenant HONDA
18 told me that his orders were all prisoners must die,
19 but he liked Captain Banfill and asked his company
20 commander if his life might be spared, and his life
21 was spared. As far as I can ascertain, Captain
22 Banfill and Corporal Leith of the Royal Army Medical
23 Corps are the only two survivors from the field
24 dressing station at which Captain Banfill was command-
25 ing.

BARNETT

DIRECT

1 Q Will you please describe the conditions
2 at North Point Camp when you arrived?

3 A The conditions were filthy and appalling.
4 Practically all the windows in the huts had been
5 broken. At one end of the camp was being used as
6 a reclamation place, and city refuse had been dumped
7 there and covered with a thin layer of earth. The
8 camp had been used as horse lines by the Japanese
9 cavalry. There were a number of dead Chinese bodies
10 lying at the other end of the camp. It was a perfect
11 breeding place for disease. There were flies by the
12 thousands and bedbugs by the hundreds.

13 Q Was the accommodation adequate?

14 A The accommodation was most inadequate. This
15 camp had been built as a Chinese refugee camp to
16 house between six and seven hundred persons. Into
17 this camp was placed the whole force which marched
18 from Stanley Barracks, about two thousand, five hundred
19 officers and men. About a hundred and fifty men or
20 more were placed in each hut, a hut built for about
21 sixty or seventy persons. Some had beds, wooden
22 beds; some had none at all; some had one blanket;
23 others had none. There was no water in the camp, nor
24 yet were there any cook houses. There were no latrine
25 facilities because of the water being cut off; and

BARNETT

DIRECT

1 the men were used -- forced to use the sea wall, a
2 very dangerous practise, and a practise which would
3 help to spread disease.

4 Q Will you please describe the hospital
5 arrangements and the medical supplies?

6 A The first supplies, medical supplies, that
7 came into the camp I brought from Bowen Road Hospital
8 with me on the 30th of December. The Japanese after
9 that brought in small quantities, and I know that one
10 man, when he went on sick parade with a very bad cold,
11 could not even get an aspirin tablet or a dose of salts.
12 At first we had no hospital in North Point Camp; but
13 after being there for a while, they gave us a tent.
14 This tent was most inadequate because the middle of
15 January I had to go to the hospital with dysentery
16 and I was placed in this tent on a stretcher on the
17 ground fully clothed, and for ten days I could
18 neither shave nor wash because of the scarcity of
19 water. Our medical officer asked the Japanese to send
20 me to Bowen Road Hospital, but they would not allow
21 him to have me transferred. Later we were given a
22 little go-down or garage adjoining the camp as an
23 extra hospital. It was inadequately lit, and when
24 it rained, the place was full of pools of water.

25 Q Was this camp an officers' camp or an other

BARNETT

DIRECT

1 ranks' camp?

2 A At the beginning it was an officers' and
3 other ranks' camp. Later the officers, the British
4 officers, were moved out to Argyle Street and the
5 troops to Shamshuipo Camp. In the camp were Canadian
6 officers and men and naval officers and other ranks.
7 In April, 1942, it became purely a Canadian camp
8 in which Canadian officers and men were housed.

9 Q Were eating utensils supplied?

10 A When we first arrived at North Point Camp,
11 the men had practically no eating utensils. They
12 used jam tins for cups, the hubs of trucks or motor
13 wheels for plates, and sometimes lampshades for
14 plates.

15 THE PRESIDENT: We will recess for fifteen
16 minutes, Brigadier.

17 (Whereupon, at 1045, a recess was
18 taken until 1100, after which the proceedings
19 were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Brigadier Nolan.

4 DIRECT EXAMINATION

5 BY BRIGADIER NOLAN (Continued)

6 Q Captain Barnett, will you describe the
7 food in this camp?

8 A When we first got to North Point Camp
9 after being there for a day we were allowed to go
10 out to army food dumps and procure army rations.
11 The first month or so in North Point Camp the food
12 was quite good as we used these rations. At the
13 end of the first month or so the Japanese came in
14 and took out the army rations which they had allowed
15 us to collect. With care these rations would have
16 lasted at least three months. When the Japanese
17 had taken out our rations we went onto a diet of
18 rice. The rice was a very inferior quality and
19 full of worms. I should say that from the beginning
20 our rice ration was about a pound of rice per man
21 per day, about half a pound of very inferior quality
22 vegetables, sometimes these vegetables consisted of
23 garden flowers and weeds. We were also given a little
24 bread each day, a little fish once or twice a week,
25 sometimes meat, say, from the beginning of February

BARNETT

DIRECT

1 until about the beginning of July.

2 Q Was there fuel in this camp?

3 A At the beginning the fuel question was
4 all right but at times, as camp life went on, fuel
5 became very scarce. I have known times when I have
6 helped the men to collect any scraps of wood around
7 the camp so that we might cook our food.

8 Q Did you yourself live with the officers
9 or with the men?

10 A In North Point we had one hut set aside
11 for the officers and I lived in that hut.

12 Q Are the conditions which you are describing
13 equally applicable to officers and men?

14 A They are.

15 Q Do you remember an incident which arose
16 out of the signing of an affidavit?

17 A I do.

18 Q Tell me about it.

19 A In May, 1942, Colonel TOKUNAGA came down
20 to North Point Camp and called for a special muster
21 parade.

22 THE MONITOR: Witness, is he a full colonel
23 or lieutenant colonel; can you tell us? It makes a
24 difference in the translation.

25 Q Is he a full colonel or lieutenant colonel

BARNETT

DIRECT

1 or do you know?

2 A I think that he was a full colonel.
3 Colonel TOKUNAGA was in command of all prisoner
4 of war camps in Hong Kong. At the muster parade
5 he indicated to us that he had received orders
6 that all prisoners must sign an affidavit saying
7 that they would not attempt to escape. He told us
8 that he was going to give us an order to sign this
9 affidavit. If anyone refused to sign it he would
10 be charged with mutiny and immediately arrested
11 and severely punished. One man in North Point Camp
12 refused to sign the affidavit. He was taken out of
13 camp. He did not return to camp until the beginning
14 of June. When he returned to camp as chaplain I went
15 to see him. I asked him what happened and he told
16 me the following story. He said, "I was taken out
17 of North Point Camp up to Lieutenant WADA's quarters
18 where they tried again to persuade me to sign the
19 affidavit. I still refused and was put in the camp
20 guardhouse. I spent the night in the camp guardhouse
21 and was taken to a court in Victoria City on the
22 Hong Kong Island the next morning. In the court I
23 met some men from Shamshuipo Camp who had also refused
24 to sign the affidavit. We were questioned by a
25 Japanese officer. I together with the other men

BARNETT

DIRECT

1 was next sent to Stanley jail. While in Stanley
2 jail I was forced to kneel on a low bed with my
3 face facing the wall all day and night. If I
4 moved without permission I was beaten with a rubber
5 hose. We were given two small meals a day. There
6 was a latrine bucket in our room. We were not pro-
7 vided with any facilities. At the end of May all
8 food was cut out. I together with the other men
9 decided to sign the affidavit, owing to my condition
10 and the condition of the others who had contracted
11 dysentery." The man was brought back to North Point
12 Camp in a very weakened condition and hospitalized
13 for a considerable period.

14 Q Did any of the prisoners escape from North
15 Point Camp?

16 A In July four Canadians escaped from North
17 Point Camp.

18 Q Of what year?

19 A 1942.

20 Q Were there any changes in the food allow-
21 ances after this escape?

22 A After the escape the canteen was not allowed
23 to come in, thus depriving us of getting extra food
24 for our rations and the rations were cut to two-thirds
25 of the usual quantity; but I cannot definitely say

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1 that they were cut due to the escape.
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1 Q Do you know what happened to these four
2 soldiers?

3 A The only story that I have been able to find
4 out about those four soldiers came to us after the
5 war was over. The Japanese told us that they had
6 captured them and that they had been killed on the
7 following day of their escape from our camp.

8 Q On one occasion later it was suspected
9 that a soldier had escaped?

10 A On the night of August 29, 1942 the guards
11 thought that some one had escaped from North Point
12 camp. This was reported to Lieutenant WADA, the
13 camp commandant and also to Colonel TOKUNAGA. Colonel
14 TOKUNAGA came to camp and ordered a muster parade at
15 11 o'clock at night. The muster parade lasted from
16 11 o'clock at night until 5 o'clock in the morning.
17 All the sick men in the hospital and who were sick
18 in quarters were forced to come out on this parade and
19 many men had to be brought out on stretchers. It
20 rained practically the whole time we were out on muster
21 parade and the sick men were forced, as were we all,
22 to remain out in the rain. We were not allowed to wear
23 raincoats and even those men who had gone out on muster
24 parade with a raincoat were forced to take them off
25 by the Japanese. Very soon after the muster parade

BARNETT

DIRECT

1 was dismissed Lieutenant WADA sent word that muster --
2 morning muster parade -- instead of being at half-past
3 eight in the morning would be at half-past nine.

4 Q Were there any working parties in this camp?

5 A I can't remember the exact day, but working
6 parties did start in North Point camp. The men were
7 sent out on work parties to Kai Tak Airport. The
8 men were in fair condition at this time and so we
9 rather enjoyed going out of the camp confines out
10 into the open spaces.

11 Q Do you know what work was being done by
12 these parties?

13 A I went out one day with the men on a working
14 party and they were working on the runways and cutting
15 grass around the airfield.

16 Q Were the prisoners paid for their work?

17 A Yes, warrant officers were paid 25 sen per
18 day, non-commissioned officers 15 sen per day, privates
19 10 sen per day. This money was paid for a day's work
20 irrespective of the number of hours that the men had
21 to work, and the purchasing value of the money the
22 men received was negligible.

23 Q Did you see any mistreatment of Chinese
24 civilians?

25 A While I was at North Point camp I saw a Chinese

BARNETT

DIRECT

1 civilian picked up on the street. He was jujitsu'd
2 by the Japanese guards, bayoneted and then thrown
3 into the sea. I have seen Japanese women and children
4 tied to lamp posts for periods varying from 3 to 4
5 hours to 24 hours.

6 THE PRESIDENT: He said, "Japanese," Brigadier.

7 BRIGADIER NOLAN: You said, "Japanese."

8 THE WITNESS: Chinese women and children.

9 Q Who was the commanding officer of the
10 Royal Rifles of Canada?

11 A At this time Lieutenant Colonel J.H. Price.

12 Q And of the Winnipeg Grenadiers?

13 A When we went to North Point camp, Lieutenant
14 Colonel J. Sutcliffe was commanding the Winnipeg
15 Grenadiers.

16 Q Tell me about Colonel Sutcliffe.

17 A Lieutenant Colonel Sutcliffe was really the
18 first of our prisoner of war deaths. He died in
19 Bowen Road Military Hospital from malnutrition and
20 the failure to get drugs while he was still sick in
21 North Point camp. The Canadian chaplain together
22 with other Canadian officers were allowed to go to
23 Bowen Road Military Hospital to perform the last rites
24 for Lieutenant Colonel Sutcliffe. The Japanese author-
25 ities permitted us to buy floral tributes for Colonel

BARNETT

DIRECT

1 Satcliffe. Colonel TOKUNAGA and his staff also
2 attended the funeral service and brought floral
3 tributes.

4 Q Did you conduct religious services in this
5 camp?

6 A We were allowed to conduct religious services
7 but as the camp was so small we had no hut or place
8 allotted where we could conduct them and so had all
9 our services outdoors.

10 Q In September of 1942 you went as a patient
11 to the Bowen Road Military Hospital. Will you describe
12 briefly the conditions at that hospital?

13 A The accommodation at the hospital for patients
14 and staff was quite good. We had beds with bed linen.
15 The hospital was run and conducted by our own doctors
16 and orderlies. The food at Bowen Road Military
17 Hospital was like in any other camp, consisting chiefly
18 of poor quality rice, poor quality fish, and poor
19 quality vegetables, with a little bread each day.
20 The medical supplies -- at the beginning of the war
21 they had plenty of medical supplies but owing to
22 heavy drain on it of many, many patients coming into
23 the hospital and the Japanese taking a certain amount
24 of supplies as they required them, the drugs became
25 very very scarce at Bowen Road Military Hospital. The
Japanese took away most of our x-ray equipment out

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1 Q Did you receive any Red Cross parcels?

2 A On the 30th day of November I received a
3 Red Cross parcel, which was a British Red Cross
4 parcel. This parcel was supposed to contain six-
5 teen articles of food. It only contained nine
6 articles. The parcel had been looted. I believe
7 it had been looted by the Japanese.

8 Q Why do you think so?

9 A Because the box was partly broken. Besides
10 receiving the small individual parcels we received
11 a quantity of canned meat and vegetables and bully
12 beef. The Japanese guard, which had a house just
13 overlooking the hospital, sent on certain days for
14 special work parties to work around their quarters.
15 While they were working around the Japanese quarters
16 they saw cases half empty of bully beef and meat and
17 vegetables, and in the garbage heap were empty tins
18 which contained bully beef or meat and vegetable stew.

19 Q Were any of the patients beaten in this
20 hospital?

21 A Yes. At the beginning of November a special
22 muster parade was called for all patients and hos-
23 pital staff -- all patients who could walk and
24 hospital staff. Dr. SAITO, the Japanese head of
25 medical affairs in Hong Kong, called this muster

BARNETT

DIRECT

1 parade because he accused some patients of the
2 hospital of cheering when the first American air
3 raid took place on the 25th of October in Hong
4 Kong. He called Colonel Bowie out and Major Boxer.
5 Colonel Bowie was the commanding officer of the
6 hospital, and Major Boxer was a patient. Colonel
7 Bowie was beaten about the head and face, as was
8 Major Boxer. Then Dr. SAITO left us standing on
9 the parade square and went into the hospital and
10 beat all the patients in the face in Ward No. 5.

11 Q You were released from this hospital in
12 January of 1943?

13 A Yes.

14 Q Will you tell me where you went and de-
15 scribe the condition of that camp?

16 A I went to Shamshuipo Camp, which is
17 situated on the Kowloon Peninsula.

18 Q Who were in that camp?

19 A I was placed with the Canadian officers
20 group, which was still there at that time.

21 Q Where were the Canadian other ranks?

22 A They were in the same camp.

23 Q Will you describe the conditions, please?

24 A The huts in Shamshuipo Camp had been
25 stripped of windows and doors. The men had had to

BARNETT

DIRECT

1 use bricks of plaster board from the ceilings or
2 any old bits of sacking and tin they could find to
3 prevent the cold coming in in the winter and the
4 rains in the summer. The men had to sleep on
5 boards, which were built about two feet off the
6 ground and placed on one side of the hut. There
7 were about 60 to 75 men in one of these huts. The
8 buildings were full of bedbugs. It became impossible
9 for me to sleep on the boards on account of the bed-
10 bugs getting into the wood. We obtained permission
11 from the Japanese to take out the boards, and the
12 men then slept for a long time on the concrete
13 floor. Later on they were given iron beds. The
14 huts were wired for electricity, allowing three
15 globes to a hut, but on no occasion did we have the
16 full quantity of globes. In September, 1944,
17 electricity was cut off, and from then until the
18 end of the war we had no artificial light at all.
19 The latrine facilities in Shamshuipo were never
20 adequate. We were granted about five or six
21 buckets per latrine, and we had great difficulty
22 at first in the disposal of the night soil. At
23 first the night soil was collected in the mornings
24 and dumped in one central place, to be sold to a
25 Chinese contractor. Sometimes the Chinese

BARNETT

DIRECT

1 contractor would not come, and the night soil was
2 left for a considerable time, and thus a great
3 breeding ground for disease and sickness. For the
4 last year or two we used the night soil in our
5 camp garden.

6 Q Were there any hospital facilities?

7 A A certain number of huts were set aside
8 as a hospital. When I went to this camp, Shamshuipo,
9 there were no beds in these hospital huts, no
10 windows or no doors. The huts were in a very bad
11 state of repair, and during very rainy weather the
12 hospital ward was full of water. I cannot remember
13 which year it was, whether it was 1943 or 1944, the
14 Red Cross supplied the money to build, to put in
15 windows and doors in the hospital, and the Japanese
16 allowed Chinese contractors to come in and put those
17 windows and doors in the hospital.

18 Q Will you describe, Captain Barnett, the
19 food in this camp?

20 A The food in Shamshuipo Camp was very bad
21 when I went there, but it went from bad to worse.
22 When I first went there the daily ration was about
23 a pound of rice, a little fish, about half a pound
24 of vegetables, and a piece of bread a day. The
25 last year or so of the war our daily ration was a

BARNETT

DIRECT

1 pound of rice, half a pound of vegetables per day,
2 a little bit of sugar and a little bit of peanut
3 oil per month. In July, 1945, the Japanese started
4 to bring in buffalo meat once a week.

5 Q What about work parties in this camp?

6 A Work parties from Shamshuipo Camp were very
7 difficult. They called for large numbers of work
8 parties. I know at one time they called for over
9 400 Canadians. The health of the men due to mal-
10 nutrition, dysentery, and other diseases had de-
11 teriorated considerably, and because of being so,
12 in such bad health we had to send men at times out
13 on stretchers to work parties. Even though they
14 could not work, the numbers had to be made up. The
15 men would be called at four o'clock in the morning,
16 and although work did not start actually until
17 nine o'clock in the morning, the intervening hours
18 were spent in counting out the men and getting them
19 sorted out and transported to the place of work.
20 The men returned to camp about seven o'clock at
21 night, and some men who were out on work parties
22 from ten to twelve days in a row spent very little
23 daylight hours in prison camp.

24 Q What was the nature of the work being done?

25 A When I first went back to Shamshuipo Camp

BARNETT

DIRECT

1 the work being done was at the airport. The men
2 were leveling the ground and making room for the
3 airport to be enlarged. They spent a lot of time
4 making runways for the airport. When this work
5 was finished the work parties ceased for a short
6 time. Later on they were sent out into smaller
7 groups to work on making gardens at the race
8 track and unloading ammunition off ships and load-
9 ing ammunition onto trains.

10 Q Did you receive Red Cross parcels at
11 Shamshuipo?

12 A I received Red Cross parcels in Shamshuipo
13 as follows: In February, 1943, I received one
14 British Red Cross parcel; in April, 1943, I received
15 another. We did not receive any more Red Cross
16 parcels until August, 1944, when I received three
17 and two-thirds Canadian Red Cross parcels. At the
18 end of February or the beginning of March, 1945, I
19 received one and one-half British Red Cross parcels.

20 Q Why are there fractions?

21 A There wasn't enough Red Cross parcels to
22 give each one a full amount, and those that remained
23 over we divided up amongst the members of the camp.

24 Q Had any of these parcels been tampered with?

25 A The parcels that I received were intact,

BARNETT

DIRECT

1 but many of the parcels received by the men in camp
2 had been pilfered before they came into camp. As
3 at Bowen Road, so at Shamshuipo, the men were sent
4 out to work in Japanese quarters, training and doing
5 various odd jobs around, and when they came back to
6 camp they told us that at the Japanese quarters they
7 saw large supplies of Red Cross supplies and parcels
8 which were being used by the Japanese.

9 Q Will you tell me what happened to the
10 Roman Catholic padre, Captain Green?

11 A When I went back to Shamshuipo camp I
12 used to visit Captain Green in the hospital quite
13 often. He had been very sick for a considerable
14 time. I asked him what was wrong with him, and
15 he said that he believed his sickness was due to
16 a severe thrashing he got from a Japanese officer.
17 He received this beating because he asked about
18 the funds which had been sent by the Vatican for
19 the welfare of prisoners of war.

20 Q Did a Red Cross representative visit this
21 camp?

22 A Mr. Zindel, the Red Cross representative,
23 visited the camp, I remember, in August, 1944.
24 At this time Shamshuipo had been divided into two
25

BARNETT

DIRECT

1 sections: one to be used as an officers' camp, and
2 the other, as a men's camp. Those of us who were
3 in the men's camp were forced to go out into the
4 parade ground and indulge in sports while Mr. Zindel
5 made a visit in our camp. When Mr. Zindel's visit
6 was over and we were allowed to wander back around
7 the camp, I saw Lieutenant Barnett being taken
8 from the officers' camp by the Japanese. We dis-
9 covered that Lieutenant Barnett was being taken
10 out because he had spoken to Mr. Zindel, asking
11 him to get us more food as we were starving.
12 Lieutenant Barnett was severely beaten before he
13 was taken back into the officers' camp.
14

15 THE PRESIDENT: We will adjourn now,
16 Brigadier, until half past one.

17 (Whereupon, at 1200, a recess
18 was taken.)
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1 AFTERNOON SESSION

2
3 The Tribunal met, pursuant to
4 recess, at 1330.

5 MARSHAL OF THE COURT: The International
6 Military Tribunal for the Far East is now resumed.

7 THE PRESIDENT: Brigadier Nolan.
8

9 - - - -

10 JAMES BARNETT, a witness called on
11 behalf of the prosecution, resumed the stand
12 and testified as follows:

13 DIRECT EXAMINATION (Continued)

14 BY BRIGADIER NOLAN (Continuing):

15 Q This morning, Captain Barnett, you told me
16 that you had been required to sign an affidavit
17 swearing that you would not attempt to escape. Was
18 that affidavit in Japanese or in English?

19 A It was in English.

20 Q Do you remember if it showed, on its face,
21 where it had come from?

22 A It seemed to me that it had the word "Tokyo"
23 written on the top of it, as emanating from Tokyo.

24 THE PRESIDENT: Why does it merely seem?
25 He shouldn't use that expression if he is at all sure.

Q Was it a printed form or not?

of the epidemic as many as

BARNETT

DIRECT

1 A It was.

2 Q And do you remember what it had at the head
3 of the document?

4 A I cannot remember word for word.

5 Q Well, tell me what you do remember about the
6 heading.

7 A "Prisoner of war affidavit not to escape."

8 Q Anything else?

9 A Then a sign, printed out, was the words that
10 we would not -- "I will not escape or attempt to
11 escape from this prison camp."

12 Q Did the word "Tokyo" appear on the document?

13 A The word "Tokyo" did appear on the document,
14 but its context I do not remember.

15 Q Do you remember upon what part of the document
16 it appeared?

17 A Near the top.

18 Q Captain Barnett, were there any epidemics
19 in Shamshuipo Camp? Were there any epidemics in
20 Shamshuipo Camp?

21 A Yes.

22 Q Tell me about them.

23 A From October 1942 until February 1943, we had
24 a very serious epidemic of diphtheria. At the height
25 of the epidemic as many as three or four men died in a

BARNETT

L IRECT

1 day. Dr. SAITO said that there was no serum to be
2 produced. As the epidemic went along, a Japanese,
3 an interpreter, brought some serum into camp for us
4 and thereby saved the lives of many of our men. He
5 was removed, the Japanese interpreter was removed
6 from our camp as he was considered to be treating the
7 prisoners too humanely. Later on when patients came
8 from Bowen Road Hospital they said this same inter-
9 preter was then acting as interpreter at Bowen Road
10 Hospital and was doing as much as he could to help
11 the very sick persons by having special food parcels
12 sent in to them. For his humane treatment of us he
13 was sent to prison, but released when the war was
14 over and the British forces came in to relieve us.

15 Q Towards the end of the war, who was the camp
16 commandant?

17 A Towards the end of the war, our camp com-
18 mandant was Sergeant Major HONDA. Sergeant Major
19 HONDA treated us very humanely. When it was raining,
20 instead of having a muster parade, he would come
21 around to each hut and count us in the hut. If we had
22 a parade in the rain he made it as short as possible
23 and as each group was counted he dismissed us. The
24 last Christmas we were there he arranged a special
25 canteen for us to buy eggs and cakes and sweets.

BARNETT

CROSS

Q When were you liberated, Captain Barnett?

A I was liberated on the 15th of August, 1945.

Q By whom?

A By a fleet of the Royal Navy.

BRIGADIER NOLAN: That is all I have, your Honor.

THE PRESIDENT: Mr. Logan.

MR. LOGAN: If the Tribunal please.

CROSS-EXAMINATION

BY MR. LOGAN:

Q Captain, what was the highest rank of the highest Japanese officer that you saw at St. Stephens College Hospital at the time of the surrender?

THE PRESIDENT: At the time of the alleged massacre?

Q At the time of the surrender of Hong Kong.

A I was not familiar with the Japanese rank badges at that time, so I cannot say.

Q Was there a great deal of disorder and confusion at the time of the surrender of Hong Kong?

A I was in the hospital and I only know what took place in the hospital.

Q How many Japanese soldiers came into that hospital at that time?

A I saw five come in at a time, and I saw

BARNETT

CROSS

1 others, but they kept coming in from every side.

2 I do not know how many soldiers there were there.

3 Q Of these 170 or 180 which you helped to
4 cremate, how many of them came from battlefields?

5 A I should say about 90.

6 Q Can you tell us the exact date when you
7 arrived at Camp North Point?

8 A The 30th day of December 1941.

9 Q You testified you were permitted to take two
10 soldiers to the hospital, one suffering from malaria
11 and one was wounded. Did they return all right,
12 Captain?

13 A They both returned to Canada.

14 Q They received proper treatment at the hospital?

15 A They received treatment from the British
16 medical officers.

17 Q Was that hospital under Japanese control at
18 that time?

19 A The hospital was under Japanese control but
20 was run and conducted by British medical officers and
21 orderlies.

22 Q Who built Camp North Point?

23 A I cannot answer that question, as I wasn't in
24 Hong Kong long enough to find out.

25 Q In any event, it was there before Hong Kong

BARNETT

CROSS

surrendered, was it not?

A Yes.

Q So that at the time when it was built it had no cook houses, isn't that so?

A I do not know. Some of the huts had been destroyed.

Q Did it have any hospital before Hong Kong surrendered?

A It was a hut used as a medical inspection room.

Q Was that hut there when you arrived?

A It was there when I arrived, but had we not used those huts set for medical inspection, we would have had men sleeping out on the grounds of the camp.

Q You also testified that this camp had no latrines. I assume they had no latrines before the surrender of Hong Kong; is that true?

A It had latrines, but they weren't able to use them.

Q What is that?

A They had latrines, but they were so badly damaged that until they were repaired we could not use them.

Q How long did it take you to repair them?

A It took us considerable time because we often asked for equipment and material to repair them

BARNETT

CROSS

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15 surrender of Hong Kong; is that true?

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17 use them.

18 Q What is that?

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20 damaged that until they were repaired we could not
21 use them.

22 Q How long did it take you to repair them?

23 A It took us considerable time because we
24 often asked for equipment and material to repair them
25

BARNETT

CROSS

1 with, but the Japanese would not bring any and so we
2 had to scrounge around the camp and find odd bits of
3 stuff to repair them with.

4 Q You also testified when you arrived at this
5 camp that there was no water. How long did that
6 condition exist?

7 A After a day or so we had been there, they
8 allowed us to bring water in by truck. But I cannot
9 say how long a period it took to repair the plumbing
10 system in camp so that we had regular running water.

11 Q Did I understand you, Captain, to say that
12 some Japanese brought some medical supplies to that camp
13 shortly after you arrived there?

14 A Yes.

15 Q You testified about Lieutenant HONDA. Could
16 you give me his full name?

17 A All that I know is that it was just Lieutenant
18 HONDA. I don't know any of his Christian names.

19 Q Do you know what regiment he was in?

20 A No.

21 Q You can't -- you have no means of identifying
22 him further, have you, Captain?

23 A No.

24 Q He is the one that told you the story about
25 Captain Bramfield being alive. I'd like to know how

BARNETT

CROSS

1 many were in this field dressing station Captain Bram-
2 field was with.

3 A It is not Captain Bramfield. It is Captain
4 Banfill, B-a-n-f-i-l-l.

5 Q I am sorry.

6 A I do not know the exact number of the men
7 in his field dressing station. I know that there were
8 two Canadians, two other Canadians with him.

9 Q Did Lieutenant HONDA tell you how they died?

10 A No.

11 Q Captain, because of the nature of your
12 calling, did you have more freedom than the other men
13 in this camp?

14 A No.

15 Q Weren't you permitted to leave the camp and
16 go to the hospital once in a while?

17 A The first day we arrived in North Point Camp;
18 that was the only time that I was allowed out.

19 Q How many huts were there in this camp,
20 altogether?

21 A I do not know the number of huts in the camp.

22 Q You testified there were 2500 men there
23 at about the day you arrived, or they came with you.
24 Did they stay there during the entire period of time
25 you were there?

BARNETT

CROSS

1 A No. First of all, the Indians were moved
2 out of that camp. Then the British were moved out
3 of the camp. Then the Winnipeg Grenadiers rejoined
4 us and they brought the Royal Navy with them.

5 Q What was the highest number of men you had
6 at the camp at any one time?

7 A About 2500.

8 Q And for what period of time did you have
9 as many as 2500 in that camp?

10 A About four months.

11 Q And what was the least number you had at any
12 one time?

13 A Between sixteen and seventeen hundred.

14 Q What was the situation with respect to the
15 clothes of the men in this camp? Were they permitted
16 to keep their own clothes?

17 A We were permitted to keep our own clothes.

18 Q How long were you without eating utensils?

19 A The Japanese brought only into North Point
20 about enough to give about a hundred men eating
21 utensils and they throughout the whole time never
22 brought in any more eating utensils.

23 Q Do you know if there were any other eating
24 utensils available that they could have brought in?

25 A All that I know is they had complete access

BARNETT

GROSS

1 to our quartermaster stores.

2 Q Captain, about this affidavit that you
3 were asked to sign, you stated this morning that
4 Colonel TOKUNAGA indicated he had received orders
5 to have the prisoners of war sign the affidavit not
6 to escape. Just what do you mean by "he indicated"?

7 A He said that he had received orders that
8 we must sign this affidavit and was giving us an order
9 to sign them.

10 Q You have given us, in answer to questions
11 a few minutes ago, the substance of that affidavit.
12 Was there anything else contained in it besides what
13 you have testified?

14 A Not that I can remember.
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1 Q I believe you testified this morning you
2 saw the men working in this airport?

3 A Yes.

4 Q How far from the camp was that?

5 A I should say about two miles across the bay.

6 Q Was that light work?

7 A The first part was light work, cutting grass
8 and digging.

9 Q Were they voluntary working parties?

10 A Will you please repeat? I didn't catch the
11 first part of the question.

12 Q Maybe I interrupted. Did you finish your
13 answer to the previous question? I asked if they
14 were voluntary working parties.

15 A No.

16 Q The men were asked to go?

17 A They were told to go.

18 Q How old was Lieut. Col. Sutcliffe at the
19 time he died?

20 A I don't know his age and I would be just
21 making a guess if I gave any age for Colonel Sutcliffe.

22 Q Let's have your best estimate.

23 A I should say about forty.

24 Q He died from malnutrition?

25 A Malnutrition and through malaria and

BALNETT

CROSS

1 dysentery, for which we had had no drugs in North
2 Point Camp.

3 Q Do you know if there were any other drugs
4 available in Hong Kong at that time?

5 A When I left St. Stephens Hospital it was
6 well equipped with drugs of every description. I
7 don't know what happened to those drugs.

8 Q Do you know if St. Stephens Hospital had a
9 large supply of drugs at the time you left?

10 A There was a considerable quantity there and
11 the Japanese had already taken a considerable quan-
12 tity when I left.

13 Q I believe you testified this morning that
14 at the end of 1942 when you went to Bowen Road Hos-
15 pital you were treated very well, is that correct?

16 A I said that the quarters were quite good,
17 but the food was very bad indeed.

18 Q Did you get medical treatment there?

19 A I received medical treatment from my own
20 doctor.

21 Q Was the hospital under the control of the
22 Japanese at that time?

23 A It was still under the control of the Jap-
24 anese but run by British officers and British medical
25 orderlies.

BARNETT

CROSS

1 Q How many patients were there at that hos-
2 pital when you were there in September?

3 A I should say about 240.

4 Q How were they being treated?

5 A They were receiving medical care at the
6 hands of the British doctors and orderlies.

7 Q They had no drugs to take care of them at
8 that time?

9 A Not nearly enough because men were dying
10 from diphtheria and dysentery.

11 Q Do you know if there was enough serum
12 available in Hong Kong at that time?

13 A I don't know.

14 Q When you arrived at Camp Shamshuipo, you
15 testified that the men were sleeping on boards. Had
16 that camp been built before the surrender of Hong Kong?

17 A Yes.

18 Q Do you know for what it had been used prior
19 to the surrender of Hong Kong?

20 A Yes.

21 Q What had it been used for?

22 A As a military camp.

23 Q By whom?

24 A By the British.

25 Q Just prior to the re-entry of the British

BARNETT

CROSS

1 in 1945 were there any machine guns set up around
2 your camp?

3 A In 1945 there were machine guns placed in
4 camp from time to time.

5 Q Did you ever hear any report, Captain, that
6 if the Allied forces set foot on Japanese soil that
7 all the prisoners in that camp would be killed?

8 A We had heard rumors that that would happen
9 to the prisoners.

10 Q Do you know where that rumor emanated from?

11 A I don't know.

12 Q Captain, is it a fact that as time went on
13 shipping lanes were disrupted and there was an in-
14 ability to bring food and hospital supplies and drugs
15 to Hong Kong?

16 THE PRESIDENT: He isn't in a position to
17 advise us on that, Mr. Logan.

18 Q Do you know, Captain, if it is a fact that
19 less and less ships came to Hong Kong as time went on?

20 A I don't know, but I know that each month I
21 did help to carry in large supplies of rice into the
22 Japanese compound. Not only rice, but soya sauce,
23 sugar and various other commodities.

24 Q Did that come from ships?

25 A Where it came from I could not say.

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BALNETT

CROSS

1 A Around the 8th of December, 1941.

2 Q Now, was the hospital in the path of the
3 fighting up until between the 8th, as you say, and
4 the 26th and 25th of December?

5 THE MONITOR: Mr. Blewett, will you kindly
6 repeat that question again, please?

7 Q Was the hospital in the path of the
8 fighting between December 8th or 10th and the 25th?

9 A The hospital was in the path of the fighting
10 on the 25th of December, 1941.

11 Q Had you seen any Japanese troops around
12 that vicinity before the 25th, Captain?

13 A I didn't see any Japanese troops until they
14 entered the hospital.

15 Q What what was that last word, please?

16 THE PRESIDENT: He didn't see any Japanese
17 troops before he entered -- before they entered the
18 hospital.

19 Q On what date were the Red Cross flags shot
20 down?

21 A Between the 22nd and the 24th.

22 Q Now, did these shots come from land troops
23 or air?

24 A That I could not say, because we were being
25 shot around from the air and from the land troops as

BARNETT

CROSS

well.

1 THE PRESIDENT: To those entering the
2 hospital it was obvious that it was a hospital?

3 THE WITNESS: Yes.

4 Q Captain, were the Japanese who entered the
5 hospital under any kind of military order, or were
6 they roving bands of soldiers?

7 A I couldn't say whether -- they weren't
8 bands of roving soldiers; they came in into an attack.

9 Q I referred, Captain, to the soldiers that
10 actually entered the hospital.

11 A They were in attack and continued their
12 attack in the hospital, firing machine guns from the
13 hospital windows and rifle fire.

14 Q These three soldiers I believe you stated
15 entered the hospital; were they under any military
16 discipline, or did they have any leader?

17 A I don't know whether their leader was with
18 them, or whether one of them was a leader or not.

19 Q Was there soon after this occurrence, or
20 at any time, any explanation made by the Japanese
21 for the acts of these troops?

22 A None to my knowledge.

23 MR. BLEWETT: Thank you, sir.

24 I believe that is all the cross-examination,
25

1 your Honor.

2 BRIGADIER NOLAN: I ask, Mr. President,
3 that the witness be released to permit him to return
4 to his own country, on the usual terms.

5 THE PRESIDENT: He may return to Canada,
6 on the usual terms. It isn't likely that he will
7 be required to come back.

8 (Whereupon, the witness was excused.)
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1 THE PRESIDENT: Brigadier Nolan.

2 BRIGADIER NOLAN: I offer now IPS document
3 2753, being the synopsis of the Hong Kong affidavits,
4 and request that it be given an exhibit number.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution document No.
7 2753 will be given exhibit No. 1589.

8 (Whereupon, the document above referred
9 to was marked prosecution's exhibit No. 1589 and
10 received in evidence.)

11 BRIGADIER NOLAN: I offer prosecution docu-
12 ment No. 5089 B, being the statement of Mrs. X -- I
13 purposely omit the name -- a V.A.D. at St. Stephens
14 Hospital, for identification.

15 CLERK OF THE COURT: Prosecution document
16 No. 5089 B will receive exhibit No. 1590 for identi-
17 fication only.

18 (Whereupon, the document above referred
19 to was marked prosecution's exhibit No. 1590 for
20 identification.)

21 BRIGADIER NOLAN: The marked excerpts are
22 offered in evidence.

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: And the marked excerpt
25 therefrom, bearing the same document number, will

1 receive exhibit No. 1590A.

2 (Whereupon, the document above referred
3 to was marked prosecution's exhibit No. 1590A
4 and received in evidence.)

5 BRIGADIER NOLAN: The statement sets out that
6 during the night of 25 December 1941 a V.A.D. was raped
7 by Japanese soldiers and two Sisters of the Territorial
8 Army Nursing Service were raped on three occasions
9 during the same night. These are the same nurses who
10 were referred to by Captain Barnett in his evidence.

11 I offer prosecution document No. 5089 H, being
12 the statement of Sister X, Territorial Army Nursing
13 Service on the staff of St. Stephens College Hospital,
14 for identification.

15 CLERK OF THE COURT: Prosecution document
16 No. 5089 H will receive exhibit No. 1591 for identi-
17 fication only.

18 (Whereupon, the document above referred
19 to was marked prosecution's exhibit No. 1591 for
20 identification.)

21 BRIGADIER NOLAN: The marked excerpts are
22 offered in evidence.

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: The marked excerpts there-
25 from, bearing the same document number, will receive

1 exhibit No. 1591A.

2 (Whereupon, the document above referred
3 to was marked prosecution's exhibit No. 1591A
4 and received in evidence.)

5 BRIGADIER NOLAN: The statement describes how
6 Sister X was raped by three Japanese soldiers one
7 after the other on two occasions during the night
8 of 25 December 1941 and that another nursing sister
9 underwent a similar experience. This is also one of
10 the nurses referred to by Captain Barnett.

11 Prosecution document No. 5089 E, the state-
12 ment of Sergeant H. Peasegood, Royal Army Medical
13 Corps, a member of the staff of St. Stephens College
14 Hospital, is now offered for identification.

15 CLERK OF THE COURT: Prosecution document
16 No. 5098 E will receive exhibit No. 1592 for identi-
17 fication only.

18 (Whereupon, the document above referred
19 to was marked prosecution's exhibit No. 1592 for
20 identification only.)

21 BRIGADIER NOLAN: The marked excerpts are
22 offered in evidence.

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: The marked excerpts,
25 bearing the same document number, will receive

1 exhibit No. 1592A.

2 (Whereupon, the document above referred
3 to was marked prosecution's exhibit No. 1592A and
4 received in evidence.)

5 BRIGADIER NOLAN: This statement sets out that
6 the bodies of three VAD's of the Hospital staff were
7 found by him in the grounds of the hospital and he
8 identifies them.

9 I offer prosecution document No. 5089 F,
10 being the statement of Sergeant J. H. Anderson, Royal
11 Army Medical Corps, a member of the staff of St.
12 Stephens College Hospital, for identification.

13 CLERK OF THE COURT: Prosecution's document
14 No. 5089 F will receive exhibit No. 1593 for identi-
15 fication only.

16 (Whereupon, the document above referred
17 to was marked prosecution's exhibit No. 1593 for
18 identification.)

19 BRIGADIER NOLAN: The marked excerpts are
20 offered in evidence.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: And the marked excerpts
23 therefrom, bearing the same document number, will
24 receive exhibit No. 1593A.

25 (Whereupon, the document above referred

1 to was marked prosecution's exhibit No. 1593A
2 and received in evidence.)

3 BRIGADIER NOLAN: The statement sets out that
4 St. John's ambulance men were murdered and that the
5 bodies of Lieutenant Colonel Black and Captain Witney,
6 Royal Army Medical Corps, were found in the hospital
7 bayoneted or cut with swords. The bodies of the
8 three missing women were found cut to pieces. The
9 head of one was almost severed from the body. Altogether
10 about 60 to 70 bodies of patients and 25 bodies of
11 staff were collected and burned upon orders of the
12 Japanese.

13 Prosecution document No. 5100, being the
14 affidavit of Captain S. M. Banfill, Royal Canadian
15 Army Medical Corps, is offered for identification.

16 CLERK OF THE COURT: Prosecution document
17 No. 5100 will receive exhibit No. 1594 for identifica-
18 tion only.

19 (Whereupon, the document above referred
20 to was marked prosecution's exhibit No. 1594 for
21 identification.)

22 BRIGADIER NOLAN: The marked excerpts are
23 offered in evidence.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: The marked excerpts,

1 bearing the same document number, will receive exhibit
2 No. 1594A.

3 (Whereupon, the document above referred
4 to was marked prosecution's exhibit No. 1594A
5 and received in evidence.)

6 BRIGADIER NOLAN: The affidavit states that
7 the deponent had established a First Aid Post at the
8 Salesian Mission and describes how Royal Army Medical
9 Corps personnel from the First Aid Post were lined up
10 and shot. When Captain Benfill protested about the
11 shooting, and English speaking Japanese told him they
12 had an order to kill all captives. There were two
13 survivors, Second Lieutenant Osler Thomas, Hong Kong
14 Volunteer Defense Corps, and Corporal Leath, Royal
15 Army Medical Corps. The deponent saw the Japanese
16 bayonet wounded officers and men and then shoot them
17 to make sure that they were dead.
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1 Prosecution document No. 5286A, being the
2 affidavit of Captain Osler Thomas, Hongkong
3 Volunteer Defense Corps, is offered for identifi-
4 cation.

5 CLERK OF THE COURT: Prosecution's
6 document No. 5286A will receive exhibit No. 1595
7 for identification only.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 1595 for identification.)

11 BRIGADIER NOLAN: The marked excerpts
12 are offered in evidence.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: And the marked excerpts
15 therefrom, bearing the same document number, will re-
16 ceive exhibit No. 1595-A.

17 (Whereupon, the document above re-
18 ferred to was marked prosecution's exhibit
19 No. 1595-A and received in evidence.)

20 BRIGADIER NOLAN: The affidavit states that
21 the deponent was serving as a medical officer under
22 Captain Banfill at the Salesian Mission Advanced
23 Dressing Station. On 19 December the station sur-
24 rendered and the male personnel were led on to the
25 main road and lined up on the edge of a Nullah.

1 Suddenly Japanese soldiers started to bayonet the
2 unsuspecting men from the rear amidst cheers from
3 the enemy onlookers. Some who attempted to escape
4 were shot. The deponent fell into a nullah as
5 though shot and the bodies of two victims fell on
6 him and he survived.

7 I offer in evidence Prosecution's document
8 No. 5089D, being the statement of Corporal N. J.
9 Leath, Royal Army Medical Corps attached to the
10 Advanced Dressing Station for identification.

11 CLERK OF THE COURT: Prosecution's document
12 No. 5089D will receive exhibit No. 1596 for identi-
13 fication only.

14 (Whereupon, the document above
15 referred to was marked prosecution's exhibit
16 No. 1596 for identification.)

17 BRIGADIER NOLAN: The marked excerpts are
18 offered in evidence.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: And the excerpts there-
21 from bearing the same document number will receive
22 exhibit No. 1596-A.

23 (Whereupon, the document above re-
24 ferred to was marked prosecution's exhibit
25 No. 1596-A and received in evidence.)

1 BRIGADIER NOLAN: The statement describes
2 how Medical corps personnel surrendered, were
3 searched and their valuables taken away from them.
4 They were marched off into a little valley when they
5 were halted on the edge of a nullah. The party was
6 lined up and shot or bayoneted in the back. Corporal
7 Leath was struck from behind on the back of the neck
8 and blood poured into his eyes, ears and mouth. The
9 wounded were shot as they lay on the ground but
10 Corporal Leath lay still among the dead bodies and
11 survived.

12 Prosecution document No. 5089C, being the
13 statement of Sergeant T. R. Cunningham, Royal Army
14 Medical Corps attached to the Advanced Dressing
15 Station is now offered for identification.

16 CLERK OF THE COURT: Prosecution's document
17 No. 5089C will receive exhibit No. 1597 for identi-
18 fication only.

19 ("Whereupon, the document above re-
20 ferred to was marked prosecution's exhibit
21 No. 1597 for identification.)

22 BRIGADIER NOLAN: The marked excerpts are
23 offered in evidence.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: And the excerpts there-

1 from, bearing the same document number, will receive
2 exhibit No. 1597-A.

3 (Whereupon, the document above re-
4 ferred to was marked prosecution's exhibit
5 No. 1597-A and received in evidence.)

6 BRIGADIER NOLAN: The statement sets out
7 on 19th December St. John's ambulance bearers sur-
8 rendered and although they were fully dressed and
9 wore Red Cross brassards were killed by the Japanese.
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1 BRIGADIER NOLAN: Prosecution document
2 No. 5287-A, being the affidavit of Martin Tso Him
3 Chi, Fifth Anti-Aircraft Battery, Hong Kong Volunteer
4 Defense Corps, is offered for identification.

5 CLERK OF THE COURT: Prosecution's document
6 No 5287-A will receive exhibit No. 1598 for identi-
7 fication only.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 1598 for identification.)

11 BRIGADIER NOLAN: The marked excerpts are
12 offered in evidence.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: The marked excerpts
15 therefrom, bearing the same document number, will
16 receive exhibit No. 1598-A.

17 (Whereupon, the document above re-
18 ferred to was marked prosecution's exhibit
19 No. 1598-A and received in evidence.)

20 BRIGADIER NOLAN: The affidavit states that
21 after surrendering twenty-five men were ordered to
22 leave the magazine and as each man passed the entrance
23 he was bayoneted. The deponent, who was bayoneted
24 through the body, feigned death and survived.

25 Prosecution document No. 5289-A, being the

1 affidavit of Brother Michael Hogan of Maryknoll
2 Mission, Stanley, Hong Kong, is offered for identi-
3 fication.

4 CLERK OF THE COURT: Prosecution's document
5 No. 5289-A will receive exhibit No. 1599 for identi-
6 fication only.

7 (Whereupon, the document above re-
8 ferred to was marked prosecution's exhibit
9 No. 1599 for identification.)

10 BRIGADIER NOLAN: The marked excerpts are
11 offered in evidence.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: The marked excerpts
14 therefrom, bearing the same document number, will
15 receive exhibit No. 1599-A.

16 (Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 1599-A and received in evidence.)

19 BRIGADIER NOLAN: The affidavit states that
20 on 25 December 1941 six British officers, who had
21 been captured, were bayoneted by Japanese soldiers.

22 Prosecution document No. 5101, being the
23 affidavit of Lance Sergeant W. A. Hall of the Winnipeg
24 Grenadiers, is now offered for identification.

25 CLERK OF THE COURT: Prosecution's document

1 No. 5101 will receive exhibit No. 1600 for identi-
2 fication only.

3 (Whereupon, the document above re-
4 ferred to was marked prosecution's exhibit
5 No. 1600 for identification.)

6 BRIGADIER NOLAN: The marked excerpts are
7 offered in evidence.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: The marked excerpts
10 therefrom, bearing the same document number, will
11 receive exhibit No. 1600-A.

12 (Whereupon, the document above re-
13 ferred to was marked prosecution's exhibit
14 No. 1600-A and received in evidence.)

15 BRIGADIER NOLAN: The affidavit states
16 he was captured on the 19 December 1941. After
17 surrender, while being marched down the road, three
18 grenadiers were taken out of the ranks by Japanese
19 soldiers, one Private Whalen was shot and Lance Corporal
20 Land and Private Osadchuk were bayoneted and appeared
21 to die almost instantly.

22 Prosecution document No. 5288-A, being the
23 affidavit of Colonel L. T. Ride, officer commanding
24 Hong Kong Field Ambulance, is offered for identifi-
25 cation.

1 CLERK OF THE COURT: Prosecution's document
2 No. 5288-A will receive exhibit No. 1601 for identi-
3 fication only.

4 (Whereupon, the document above re-
5 ferred to was marked prosecution's exhibit
6 No. 1601 for identification.)

7 BRIGADIER NOLAN: The marked excerpts are
8 offered in evidence.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: The marked excerpts
11 therefrom, bearing the same document number, will
12 receive exhibit No. 1601-A.

13 (Whereupon, the document above re-
14 ferred to was marked prosecution's exhibit
15 No. 1601-A and received in evidence.)

16 BRIGADIER NOLAN: The affidavit states that
17 after the surrender the deponent was searching for
18 wounded and found over fifty bodies, many of them
19 with hands and feet tied. Many had bayonet stabs
20 and sword wounds, mostly in their backs.

21 Prosecution document No. 5284-A, being the
22 statement of First Lieutenant TANAKA, Hitoshi is
23 offered for identification.

24 CLERK OF THE COURT: Prosecution's document
25 No. 5284-A will receive exhibit No. 1602 for

1 identification only.

2 (Whereupon, the document above re-
3 ferred to was marked prosecution's exhibit
4 No. 1602 for identification.)

5 BRIGADIER NOLAND: The marked excerpts are
6 offered in evidence.

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: The marked excerpts
9 therefrom, bearing the same document number, will
10 receive exhibit No. 1602-A.

11 (Whereupon, the document above re-
12 ferred to was marked prosecution's exhibit
13 No. 1602-A and received in evidence.)

14 BRIGADIER NOLAN: The statement sets out
15 that Sergeant Paine and the three other Canadians who
16 escaped from North Point Camp in 1942 were recaptured
17 when, in attempting to cross to the Kowloon side,
18 their boat capsized. They were taken to the Kai Tak
19 Aerodrome, cut down with swords, stabbed with bayonets
20 and shot.

21 Prosecution document No. 5099, being the
22 affidavit of Major R. D. Buck, Royal Army Pay Corps,
23 is now offered for identification.

24 CLERK OF THE COURT: Prosecution's document
25 No. 5099 will receive exhibit No. 1603 for

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3 identification only.

4 (Whereupon, the document above re-
5 ferred to was marked prosecution's exhibit
6 No. 1603 for identification.)

7 BRIGADIER NOLAN: The marked excerpts are
8 offered in evidence.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: The marked excerpts
11 therefrom, bearing the same document number, will
12 receive exhibit No. 1603-A.

13 (Whereupon, the document above re-
14 ferred to was marked prosecution's exhibit
15 No 1603-A and received in evidence.)

16 BRIGADIER NOLAN: If I may be permitted to
17 refer to the affidavit of First Lieutenant TANAKA,
18 I have been requested by my learned friend to read
19 an additional sentence which is contained in paragraph
20 two thereof. The sentence reads as follows, and I
21 quote: "Tokyo was informed that they had been shot
22 whilst escaping from a POW camp."

23 Reverting to the synopses, in respect of
24 exhibit 1603, the affidavit states in July 1942
25 at Shamshuipo Camp an escape tunnel was discovered
by the Japanese. Eight British other ranks were
arrested and four were not returned to the camp.

1 In August 1945 the deponent saw a list prepared by
2 the Japanese in which these four British soldiers
3 were named as having been killed by shooting.
4 Prisoners of war were employed in repairing guns
5 and in the enlargement of Kai Tak Aerodrome. An
6 English artillery officer who protested was severely
7 beaten. He saw the Roman Catholic padre, Captain
8 Green, after he had been beaten and he was very
9 severely knocked about.

10 Prosecution document No. 5093, being the
11 affidavit of Lieutenant Colonel George Trist, Winni-
12 peg Grenadiers, is offered for identification.

13 CLERK OF THE COURT: Prosecution's document
14 No. 5093 will receive exhibit No. 1604 for identi-
15 fication only.

16 (Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 1604 for identification.)

19 BRIGADIER NOLAN: The marked excerpts are
20 offered in evidence.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: The marked excerpts
23 therefrom, bearing the same document number, will
24 receive exhibit No. 1604-A.

25 (Whereupon, the document above

1 referred to was marked prosecution's exhibit
2 No. 1604-A and received in evidence.)

3 BRIGADIER NOLAN: The affidavit describes
4 the inadequacy of the accommodations both at Sham
5 Shui Po and North Point Camps. When asked to sign
6 an affidavit that prisoners would not attempt to
7 escape, it was pointed out to the Japanese commandant
8 that it was a military duty to attempt to escape;
9 whereupon, the Commandant replied that the prisoners
10 were no longer officers but were merely prisoners
11 of war and that refusal to obey an order of the
12 Japanese Army would have serious consequences. The
13 affidavit describes the beating of officers including
14 one who had complained to the visiting Representative
15 of the Red Cross that the prisoners were being
16 starved to death. The affidavit also states that
17 Sergeant Paine and three other Canadians escaped from
18 the camp on 20 August 1942.

19 THE PRESIDENT: We will recess for fifteen
20 minutes.

21 (Whereupon, at 1445, a recess was
22 taken until 1500, after which the proceedings
23 were resumed as follows:)
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1 THE PRESIDENT: Brigadier Nolan.

2 BRIGADIER NOLAN: Prosecution document No.
3 5090, being the affidavit of Q.M.S. (WO II) V.J.
4 Matt, C.M.S.C., is offered for identification.

5 CLERK OF THE COURT: Prosecution's docu-
6 ment No. 5090 will receive exhibit No. 1605 for
7 identification only.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 1605 for identification.)

11 BRIGADIER NOLAN: The marked excerpts
12 are offered in evidence.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: And the marked excerpts
15 therefrom, bearing the same document number, will
16 receive exhibit No. 1605-A.

17 (Whereupon, the document above re-
18 ferred to was marked prosecution's exhibit
19 No. 1605-A and received in evidence.)

20 BRIGADIER NOLAN: The affidavit states that
21 sick men were forced to go on working parties at Kai
22 Tek airport and that a number of extremely sick men
23 were actually carried to the work on stretchers in
24 order to meet the exact number demanded.

25 Prosecution document No. 5095, being the

1 affidavit of Lieutenant Colonel F.D. Field, Royal
2 Artillery, is now offered for identification.

3 CLERK OF THE COURT: Prosecution's docu-
4 ment No. 5095 will receive exhibit No. 1606 for ident-
5 ification only.

6 (Whereupon, the document above re-
7 ferred to was marked prosecution's exhibit
8 No. 1606 for identification.)

9 BRIGADIER NCLAN: The marked excerpts are
10 offered in evidence.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: The marked excerpts
13 therefrom, bearing the same document number, will
14 receive exhibit No. 1606-A.

15 (Whereupon, the document above re-
16 ferred to was marked prosecution's exhibit
17 No. 1606-A and received in evidence.)

18 BRIGADIER NOLAN: The affidavit states that
19 at Shamshuipo Camp, which was chiefly for other ranks,
20 there was a lack of medical facilities and a shortage
21 of food. Many of the men were forced when very ill
22 to go on working parties. In the autumn of 1942
23 diphtheria and dysentery broke out. The Japanese
24 refused the sick men any medical attention with the
25 result that about 200 died. In June or July 1943

1 Captain Douglas Ford, Royal Scots, and Flying Officer
2 C.C. Grey, R.A.F., were tortured, tried, and shot for
3 attempting to escape. The prisoners were warned not
4 to speak to the Red Cross representative who visited
5 the camp in August 1944, and Lieutenant Barnett was
6 beaten for calling out to the representative that
7 the prisoners were starving.

8 Prosecution document No. 5096, being the
9 affidavit of Captain the Rev. E.J. Green, H.M. (R.C.),
10 is now offered for identification.

11 CLERK OF THE COURT: Prosecution's docu-
12 ment No. 5096 will receive exhibit No. 1607 for
13 identification only.

14 (Whereupon, the document above re-
15 ferred to was marked prosecution's exhibit
16 No. 1607 for identification.)

17 BRIGADIER NOLAN: The marked excerpts are
18 offered in evidence.

19 THE PRESIDENT: Admitted on the usual terms.

20 CLERK OF THE COURT: The marked excerpts
21 therefrom, bearing the same document number, will
22 receive exhibit No. 1607-A.

23 (Whereupon, the document above re-
24 ferred to was marked prosecution's exhibit
25 No. 1607-A and received in evidence.)

1 The affidavit states that in the autumn
2 of 1942 a severe epidemic of diphtheria broke out in
3 Shamshuipo Camp. The Japanese authority provided no
4 medical attention or drugs, and although beds were
5 available in many cases the sick were left on the
6 concrete floor and died. The deponent describes how
7 he was severely beaten because he complained at the
8 delay in the distribution of moneys made available
9 by the Vatican for the benefit of the prisoners.

10 Prosecution document No. 5089A, being the
11 affidavit of Lieutenant Colonel C.O. Shackleton,
12 R.A.M.C., is now offered for identification.

13 CLERK OF THE COURT: Prosecution's document
14 No. 5089A will receive exhibit No. 1608 for identifi-
15 cation only.

16 (Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 1608 for identification.)

19 BRIGADIER NOLAN: The marked excerpts are
20 offered in evidence.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: The marked excerpts
23 therefrom, bearing the same document number, will
24 receive exhibit No. 1608-A.

25 (Whereupon, the document above referred

1 to was marked prosecution's exhibit
2 No. 1608-A and received in evidence.)

3 BRIGADIER NOLAN: This affidavit states that
4 the deponent was Senior British Medical Officer at
5 Hong Kong and commanded Bowen Road Hospital. He
6 describes the medicines provided as grossly inadequate
7 to cope with the diseases caused by malnutrition and
8 such diseases as beri beri, pellagra, and failing
9 vision. The food supplied was on a starvation diet
10 and Red Cross parcels were freely taken by the
11 Japanese and consumed by them.

12 Mr. Justice Mansfield will now continue with
13 the presentation of this phase.

14 THE PRESIDENT: Mr. Justice Mansfield.
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1 MR. JUSTICE MANSFIELD: If the Tribunal
2 please, the prosecution offers in evidence document
3 No. 5456, being a synopsis relating to the Andaman
4 Islands.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document
7 No. 5456 will receive exhibit No. 1609.

8 (Whereupon, the document above
9 referred to was marked prosecution's exhibit
10 No. 1609 and received in evidence.)

11 MR. JUSTICE MANSFIELD: Prosecution document
12 numbered 5113, the affirmation of Abdul Rauf, is
13 now introduced for identification.

14 CLERK OF THE COURT: Prosecution's document
15 No. 5113 will receive exhibit No. 1610 for identifi-
16 cation only.

17 (Whereupon, the document above
18 referred to was marked prosecution's exhibit
19 No. 1610 for identification only.)

20 MR. JUSTICE MANSFIELD: And the marked
21 excerpts thereof offered in evidence.

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: The marked excerpts
24 therefrom bearing the same document number will
25 receive exhibit No. 1610-A.

1 (Whereupon, the document above
2 referred to was marked prosecution's exhibit
3 No. 1610-A and received in evidence.)

4 MR. JUSTICE MANSFIELD: Prosecution
5 document numbered 5115, the affirmation of Pyaray
6 Mohan, is also introduced for identification.

7 CLERK OF THE COURT: Prosecution's document
8 No. 5115 will receive exhibit No. 1611 for identifi-
9 cation only.

10 (Whereupon, the document above
11 referred to was marked prosecution's exhibit
12 No. 1611 for identification only.)

13 MR. JUSTICE MANSFIELD: The marked excerpts
14 thereof being introduced in evidence.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: The marked excerpts
17 therefrom bearing the same document number will
18 receive exhibit No. 1611-A.

19 (Whereupon, the document above
20 referred to was marked prosecution's exhibit
21 No. 1611-A and received in evidence.)

22 MR. JUSTICE MANSFIELD: These documents
23 describe the torture of the witnesses by the
24 Japanese AZUMA, who beat and kicked them and ordered
25 them to be tortured by the water method.

1 Prosecution document numbered 5114, the
2 affirmation of Habib-Urrahman, is now produced for
3 identification.

4 CLERK OF THE COURT: Prosecution's document
5 No. 5114 will receive exhibit No. 1612 for identifi-
6 cation only.

7 (Whereupon, the document above
8 referred to was marked prosecution's exhibit
9 No. 1612 for identification only.)

10 MR. JUSTICE MANSFIELD: And the excerpts
11 marked therein offered in evidence.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: The excerpts therefrom
14 bearing the same document number will receive exhibit
15 No. 1612-A.

16 (Whereupon, the document above
17 referred to was marked prosecution's exhibit
18 No. 1612-A and received in evidence.)

19 MR. JUSTICE MANSFIELD: This document
20 states that the Japanese AZUMA and his assistant
21 beat a woman with heavy pieces of wood and burned her
22 naked body. AZUMA attempted to force Khaliq's wife
23 to admit her husband was a spy and on her refusal
24 said: "Your husband shall never return home."
25 Khaliq was shot.

1 Prosecution document numbered 5116, the
2 affirmation of Zaitoon Bibi, is offered for identi-
3 fication.

4 CLERK OF THE COURT: Prosecution's document
5 No. 5116 will receive exhibit No. 1613 for identifi-
6 cation only.

7 (Whereupon, the document above
8 referred to was marked prosecution's exhibit
9 No. 1613 for identification only.)

10 MR. JUSTICE MANSFIELD: The marked excerpts
11 thereof being introduced in evidence.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: The marked excerpts
14 therefrom bearing the same document number will
15 receive exhibit No. 1613-A.

16 (Whereupon, the document above
17 referred to was marked prosecution's exhibit
18 No. 1613-A and received in evidence.)

19 MR. JUSTICE MANSFIELD: This document
20 states that in January, 1943, the witness' husband
21 was arrested. She was herself taken to the gaol
22 where she met her husband who was being beaten with
23 a piece of wood until he became unconscious. Blood
24 was pouring from wounds on his body.

25 The Japanese beating him threw hot and

1 cold water over him to revive him.

2 The witness was then beaten in front of
3 her husband after which she was taken to another
4 room where she was forced to remove her clothes.
5 She was tied up, hands raised above her head and
6 legs apart, and a lighted candle was placed on a
7 stool between her legs, so that her private parts
8 were burned.

9 Her husband was later shot.

10 Prosecution document numbered 5117, the
11 affirmation of Mohamed Hussain, is now introduced
12 for identification.

13 CLERK OF THE COURT: Prosecution's document
14 No. 5117 will receive exhibit No. 1614 for identifi-
15 cation only.

16 (Whereupon, the document above
17 referred to was marked prosecution's exhibit
18 No. 1614 for identification only.)

19 MR. JUSTICE MANSFIELD: The marked excerpts
20 thereof being offered in evidence.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: The marked excerpts
23 therefrom bearing the same document number will
24 receive exhibit No. 1614-A.

25 (Whereupon, the document above

1 referred to was marked prosecution's exhibit
2 No. 1614-A and received in evidence.)

3 MR. JUSTICE MANSFIELD: This document
4 states that on 2 August 1945 the witness was
5 arrested and taken to Aberdeen Jetty with about 700
6 other people. He was put into a boat with the
7 others and sailed in the evening. About 2 a.m. the
8 next day, at a point 400 yards from the shore, all
9 the people in the boats were forced into the sea
10 by the Japanese using sticks and bayonets. The
11 witness swam for the shore and about 200 men and
12 two or three children reached there safely.

13 There was no food and shelter to be found
14 and one by one the survivors died. Some six weeks
15 later, the Japanese returned and the witness was the
16 only one still living. He was taken to a place
17 where there were ten other men and they were put
18 into a water-logged and freezing tunnel. After
19 four days one of the men died.

20 Prosecution document numbered 5317, the
21 affirmation of Imdad Ali, is now offered for identi-
22 fication.

23 CLERK OF THE COURT: Prosecution's document
24 No. 5317 will receive exhibit No. 1615 for identifica-
25 tion only.

1 referred to was marked prosecution's exhibit
2 No. 1614-A and received in evidence.)

3 MR. JUSTICE MANSFIELD: This document
4 states that on 2 August 1945 the witness was
5 arrested and taken to Aberdeen Jetty with about 700
6 other people. He was put into a boat with the
7 others and sailed in the evening. About 2 a.m. the
8 next day, at a point 400 yards from the shore, all
9 the people in the boats were forced into the sea
10 by the Japanese using sticks and bayonets. The
11 witness swam for the shore and about 200 men and
12 two or three children reached there safely.

13 There was no food and shelter to be found
14 and one by one the survivors died. Some six weeks
15 later, the Japanese returned and the witness was the
16 only one still living. He was taken to a place
17 where there were ten other men and they were put
18 into a water-logged and freezing tunnel. After
19 four days one of the men died.

20 Prosecution document numbered 5317, the
21 affirmation of Imdad Ali, is now offered for identi-
22 fication.

23 CLERK OF THE COURT: Prosecution's document
24 No. 5317 will receive exhibit No. 1615 for identifica-
25 tion only.

1 (Whereupon, the document above
2 referred to was marked prosecution's exhibit
3 No. 1615 for identification only.)

4 MR. JUSTICE MANSFIELD: And the excerpts
5 marked therein, produced in evidence.

6 THE PRESIDENT: Admitted on the usual
7 terms.

8 CLERK OF THE COURT: And the marked
9 excerpts therefrom bearing the same document
10 number will receive exhibit No. 1615-A.

11 (Whereupon, the document above
12 referred to was marked prosecution's exhibit
13 No. 1615-A and received in evidence.)

14 MR. JUSTICE MANSFIELD: The document states
15 that the witness was arrested in October, 1944,
16 and taken to the Cellular Gaol. For the first
17 twelve days no charge was made against him and on
18 all these days except one, he was tortured twice
19 a day by being made to kneel on a sharp piece of
20 wood with a pole between his knees, hands above his
21 head with heavy books on them.

22 Then he was tortured by having heated
23 pins thrust under the nails of his hands. He was
24 tied to a grid and burned with a candle on his
25 thighs and private parts and tortured in other ways

1 until his release one month after his arrest.

2 Prosecution document numbered 5318, being
3 the affirmation of Murad Ali, is now introduced
4 for identification.

5 CLERK OF THE COURT: Prosecution's document
6 No. 5318 will receive exhibit No. 1616 for identifica-
7 tion only.

8 (Whereupon, the document above
9 referred to was marked prosecution's exhibit
10 No. 1616 for identification only.)

11 MR. JUSTICE MANSFIELD: And the marked
12 excerpts thereof offered in evidence.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: The marked excerpts
15 therefrom bearing the same document number will
16 receive exhibit No. 1616-A.

17 (Whereupon, the document above
18 referred to was marked prosecution's exhibit
19 No. 1616-A and received in evidence.)

20 MR. JUSTICE MANSFIELD: This document
21 states that a number of Indians were tried as spies,
22 the witness being present during most of the hearing.
23 Each accused was tortured until he made a false
24 confession, implicating others. Some Japanese in-
25 cluding one of the judges took part in a torture

1 whereby the accused was tied to a grill, legs apart,
2 the lower part of the body naked. A stool was placed
3 between the legs with a lighted candle on it, so
4 that the man's private parts were burned.

5 From time to time the judge and other
6 Japanese would light a piece of paper and pass the
7 flame over the thighs and private parts of the
8 accused, men and women both being treated in this
9 fashion.

10 Steel pins, heated in a fire, were thrust
11 beneath the fingernails of the accused. The water
12 torture was also carried out and the accused were
13 brutally beaten.

14 Eventually 43 accused were executed, 12
15 died in gaol from torture and disease and one com-
16 mitted suicide.

17 Prosecution document numbered 5319, the
18 sworn statement of Bumi Nadan, is tendered for iden-
19 tification.

20 CLERK OF THE COURT: Prosecution's document
21 No. 5319 will receive exhibit No. 1617 for identifi-
22 cation only.

23 (Whereupon, the document above
24 referred to was marked prosecution's exhibit
25 No. 1617 for identification only.)

1 MR. JUSTICE MANSFIELD: And the excerpts
2 marked therein offered in evidence.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: The marked excerpts
5 therefrom bearing the same document number will
6 receive exhibit No. 1617-A.

7 (Whereupon, the document above
8 referred to was marked prosecution's exhibit
9 No. 1617-A and received in evidence.)

10 MR. JUSTICE MANSFIELD: The document
11 describes the beating of a native by a Japanese
12 using a stick. The native died a week later as a
13 result of the beating.

14 Prosecution document numbered 5321, the
15 affirmation of Mohammad, is now produced for iden-
16 tification.

17 CLERK OF THE COURT: Prosecution's document
18 No. 5321 will receive exhibit No. 1618 for identifi-
19 cation only.

20 (Whereupon, the document above
21 referred to was marked prosecution's exhibit
22 No. 1618 for identification only.)

23 MR. JUSTICE MANSFIELD: The marked excerpts
24 therein being tendered in evidence.

25 THE PRESIDENT: Admitted on the usual terms.

1 CLERK OF THE COURT: The marked excerpts
2 therefrom bearing the same document number will
3 receive exhibit No. 1618-A.

4 (Whereupon, the document above
5 referred to was marked prosecution's exhibit
6 No. 1618-A and received in evidence.)

7 MR. JUSTICE MANSFIELD: This document
8 describes the murder of three coolies by Japanese.
9 They were beaten savagely and died as the result
10 of their injuries. One man was tied to a tree and
11 given neither food nor drink for three days. He
12 died on the fourth day, having been beaten daily.

13 Prosecution document numbered 5322, the
14 sworn statement of Nihei Yamane, is offered for
15 identification.

16 CLERK OF THE COURT: Prosecution's document
17 No. 5322 will receive exhibit No. 1619 for identi-
18 fication only.

19 (Whereupon, the document above
20 referred to was marked prosecution's exhibit
21 No. 1619 for identification only.)

22 MR. JUSTICE MANSFIELD: The marked excerpts
23 therein are produced in evidence.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: The marked excerpts

1 therefrom bearing the same document number will
2 receive exhibit No. 1619-A.

3 (Whereupon, the document above
4 referred to was marked prosecution's exhibit
5 No. 1619-A and received in evidence.)

6 MR. JUSTICE MANSFIELD: This document
7 relates that in May or June 1945, orders came from
8 the Japanese Civil Administration that all persons
9 caught stealing military or civil stores or food
10 supplies would be killed on the spot. The witness
11 who was attached to the administration states that
12 he received these orders, but only beat people for
13 theft and did not carry out the orders.

14 Prosecution document numbered 5112, the
15 sworn statement of Leslie, a Nicobarese, is now
16 offered for identification.

17 CLERK OF THE COURT: Prosecution's document
18 No. 5112 will receive exhibit No. 1620 for identifi-
19 cation only.

20 (Whereupon, the document above
21 referred to was marked prosecution's exhibit
22 No. 1620 for identification only.)

23 MR. JUSTICE MANSFIELD: The marked excerpts
24 therein being offered in evidence.

25 THE PRESIDENT: Admitted on the usual terms.

1 CLERK OF THE COURT: The marked excerpts
2 therefrom bearing the same documentary number will
3 receive exhibit No. 1620-A.

4 (Whereupon, the document above
5 referred to was marked prosecution's exhibit
6 No. 1620-A and received in evidence.)

7 MR. JUSTICE MANSFIELD: This document states
8 that two Indians were beaten with rods, kicked
9 with boots and burned with cigarettes by a Japanese.
10 One of the Indians was beaten to death.

11 The witness saw Dr. Jones with wounds all
12 over his body. Natives and Indians were beaten
13 and, with one exception, no medical treatment was
14 ever given. They were blindfolded and driven away
15 while their personal belongings were given to the
16 witness who has never seen the men since.
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1 Prosecution document numbered 5111, the
2 sworn statement of Mrs. I. Jones, is offered for
3 identification.

4 CLERK OF THE COURT: Prosecution's docu-
5 ment No. 5111 will receive exhibit No. 1621 for
6 identification only.

7 (Whereupon, the document above re-
8 ferred to was marked prosecution's exhibit
9 No. 1621 for identification.)

10 MR. JUSTICE MANSFIELD: The marked excerpts
11 therein being produced in evidence.

12 THE PRESIDENT: Admitted on the usual terms.

13 CLERK OF THE COURT: The marked excerpts
14 therefrom, bearing the same document number, will
15 receive exhibit No. 1621-A.

16 (Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 1621-A and received in evidence.)

19 MR. JUSTICE MANSFIELD: The affidavit states
20 that on 10th July, 1945, Dr. Jones, husband of the
21 witness, was arrested by the Japanese.

22 Two weeks later the witness was herself
23 arrested on suspicion of helping her husband who was
24 charged with being a spy. She was released next day
25 and re-arrested shortly afterwards. The witness saw

1 11 Nicobarese and Indians tied to posts with rope,
2 gasping for breath. There was large raw patches on
3 their knees and elbows. She saw another man bleeding
4 from the head who appeared to have been terribly
5 beaten. He died shortly after.

6 The witness overheard two Japanese talking,
7 one saying that Indians were not very strong and
8 died from mere beating so that it was better to beat
9 them only on the elbows and knees which caused pain
10 and thus forced the truth.

11 Prosecution document numbered 5110, the
12 sworn statement of the Rev. John Richardson, is now
13 introduced for identification.

14 CLERK OF THE COURT: Prosecution's document
15 No. 5110 will receive exhibit No. 1622 for identifi-
16 cation only.

17 (Whereupon, the document above re-
18 ferred to was marked prosecution's exhibit
19 No. 1622 for identification.)

20 MR. JUSTICE MANSFIELD: And the marked excerpts
21 offered in evidence.

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: And the marked excerpts
24 therefrom, bearing the same document number, will
25 receive exhibit No. 1622-A.

1 (Whereupon, the document above re-
2 ferred to was marked prosecution's exhibit
3 No. 1622-A and received in evidence.)

4 MR. JUSTICE MANSFIELD: This document states
5 that in July, 1945, sick Nicobarese and Indians were
6 chosen, allegedly to be sent to hospital, and taken
7 away by the Japanese. They were never seen again.
8 Dr. Jones who was taken away has never returned.

9 Other victims were daily taken away, hand-
10 cuffed, under armed guard, and never seen again. One
11 Indian thus removed was later found in the river,
12 unconscious.
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1 I tender evidentiary document No. 5457,
2 being a synopsis relating to Hainan Island.

3 THE PRESIDENT: Admitted on the usual
4 terms.

5 CLERK OF THE COURT: Prosecution's document
6 No. 5457 will receive exhibit No. 1623.

7 (Whereupon, the document above re-
8 ferred to was marked prosecution's exhibit
9 No. 1623 and received in evidence.)

10 MR. JUSTICE MANSFIELD: Prosecution docu-
11 ment numbered 5335, the affidavit of Dr. W. Aitken,
12 is now offered for identification.

13 CLERK OF THE COURT: Prosecution's document
14 No. 5335 will receive exhibit No. 1624 for identifi-
15 cation only.

16 (Whereupon, the document above re-
17 ferred to was marked prosecution's exhibit
18 No. 1624 for identification.)

19 MR. JUSTICE MANSFIELD: And the marked
20 excerpts produced in evidence.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: And the marked excerpts
23 therefrom, bearing the same document No., will re-
24 ceive exhibit No. 1624A.
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1 (Whereupon, the document above re-
2 ferred to was marked prosecution's exhibit
3 No. 1624A and received in evidence.)

4 MR. JUSTICE MANSFIELD: This affidavit
5 states that in November, 1942, 263 officers and men
6 P/W arrived in Hainan. The accommodation for the
7 draft which consisted of sick, weak and aged men,
8 was appalling. Huts were infested with vermin.
9 Sanitary arrangements were primitive and since the
10 camp was situated near a drainage swamp, mosqui-
11 toes were ubiquitous. Food was generally in-
12 adequate and sometimes grossly insufficient.

13 Between November, 1942 and August, 1945,
14 there were 2,430 admissions to hospital. There
15 were sixty deaths due to disease.

16 Sick men were forced to go on working
17 parties, where the work was heavy. Men were frequent-
18 ly beaten.

19 A complaint to the Camp Commandant regard-
20 ing the reduction of food resulted in the witness
21 and another officer being beaten. Requests to the
22 Japanese M.O. to supply drugs and for improved diet
23 were ignored. Deaths were sometimes shown on death
24 certificates as due to starvation. The M.O.'s reply
25 was that if the witness continued to show death as

1 due to starvation, he would show the prisoners
2 what death from starvation really meant.

3 Prosecution document numbered 5264A, the
4 affidavit of Major I. F. Macrae, is produced for
5 identification.

6 CLERK OF THE COURT: Prosecution's document
7 No. 5264A will receive exhibit No. 1625 for identi-
8 fication only.

9 (Whereupon, the document above re-
10 ferred to was marked prosecution's exhibit
11 No. 1625 for identification.)

12 MR. JUSTICE MANSFIELD: And the marked
13 excerpts therein now offered in evidence.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: The marked excerpts
16 therefrom, bearing the same documentary number, will
17 receive exhibit No. 1625A.

18 (Whereupon, the document above re-
19 ferred to was marked prosecution's exhibit
20 No. 1625A and received in evidence.)

21 MR. JUSTICE MANSFIELD: The document states
22 that in November, 1942, the witness arrived in Hainan
23 with a draft of men. He confirms the conditions de-
24 scribed in the preceding document, No. 5335. The
25 men were engaged on building works for the use of

1 the Japanese Army, and were beaten and kicked while
2 so doing.

3 Many men went to work barefoot owing to
4 lack of footwear.

5 In Haisho there were many coolies working.
6 They were starved and emaciated in appearance. The
7 witness saw the dead bodies of coolies dragged out
8 of the hospital, when he passed by, sometimes as
9 many as ten to twelve.

10 For breaches of discipline, coolies were
11 brought to the P/W Camp where they were flogged and
12 given the water torture.

13 In July, 1943, about 120 Chinese were
14 bayoneted to death outside the Camp.

15 Prosecution document numbered 5250, the
16 affidavit of A. F. Winsor, is now introduced for
17 identification.

18 CLERK OF THE COURT: Prosecution's document
19 No. 5250 will receive exhibit No. 1626 for identifi-
20 cation only.

21 (Whereupon, the document above re-
22 ferred to was marked prosecution's exhibit
23 No. 1626 for identification.)

24 MR. JUSTICE MANSFIELD: And the marked
25 excerpts thereof being offered in evidence.

1 THE PRESIDENT: Admitted on the usual terms.

2 CLERK OF THE COURT: And the marked excerpts
3 therefrom, having the same document No., will re-
4 ceive exhibit No. 1626A.

5 (Whereupon, the document above re-
6 ferred to was marked prosecution's exhibit
7 No. 1626A and received in evidence.)

8 MR. JUSTICE MANSFIELD: The document states
9 that about 120 Chinese were bayoneted to death in
10 1943, because narcotics had been illegally brought
11 into a coolie camp and these men chosen an random
12 were executed as a warning for the future.

13 Prosecution document numbered 5251, the
14 affidavit of Major R. G. Turner, is produced for
15 identification.

16 CLERK OF THE COURT: Prosecution's document
17 No. 5251 will receive exhibit No. 1627 for identifi-
18 cation only.

19 (Whereupon, the document above re-
20 ferred to was marked prosecution's exhibit
21 No. 1627 for identification.)

22 MR. JUSTICE MANSFIELD: The marked excerpts
23 thereof being introduced in evidence.

24 THE PRESIDENT: Admitted on the usual
25 terms.

1 CLERK OF THE COURT: And the marked ex-
2 cerpts therefrom, bearing the same document No.,
3 will receive exhibit No. 1627A.

4 (Whereupon, the document above re-
5 ferred to was marked prosecution's exhibit
6 No. 1627A and received in evidence.)

7 MR. JUSTICE MANSFIELD: This affidavit
8 exhibits twenty-nine official photographs taken by
9 an Allied officer of prisoners of war recovered at
10 Hainan Island in August, 1945. These exhibits are
11 now tendered in evidence.

12 THE PRESIDENT: Mr. Blewett.

13 MR. BLEWETT: If the Court please, sir,
14 I believe these documents that the prosecution is
15 now introducing into evidence were delivered to
16 defense counsel some time during the day. But, in
17 order to proceed, I should like to ask permission of
18 the Court to enter objections later on if we find
19 it expedient to do so.

20 THE PRESIDENT: You had better object, I
21 think, Mr. Blewett. Are you objecting? If not, I
22 must admit them.

23 MR. BLEWETT: No. I am only reserving
24 the right to because the documents have just been
25 delivered to us, and we have not seen them before.

1 THE PRESIDENT: Your attitude is noted.
2 The photographs are admitted on the usual terms.

3 CLERK OF THE COURT: The photographs, sub-
4 mitted with prosecution's document 5251 for identi-
5 fication only, will be given exhibit No. 1627B.

6 (Whereupon, the photographs above
7 ferred to were marked prosecution's exhibit
8 No. 1627B and received in evidence.)

9 MR. JUSTICE MANSFIELD: I desire to draw
10 the attention of the Tribunal not only to the photo-
11 graphs of the men in -- the subject of the pictures,
12 but also to the surrounding conditions as shown in
13 the photographs. I would point out that in exhibit
14 A, there is a patient suffering from a deficiency di-
15 sease, and the photograph also shows part of the
16 premises in which he was confined. There is no
17 necessity for me to comment on the photographs. They
18 speak for themselves, I submit.

19 THE PRESIDENT: I think I can safely see
20 we all agree with that.

21 MR. JUSTICE MANSFIELD: I tender prosecution
22 document No. 5458, being a synopsis of Formosa evi-
23 dence.

24 THE PRESIDENT: Admitted on the usual terms.

25 CLERK OF THE COURT: Prosecution's document

1 No. 5458 will receive exhibit No. 1628.

2 (Whereupon, the document above re-
3 ferred to was marked prosecution's exhibit
4 No. 1628 and received in evidence.)

5 MR. JUSTICE MANSFIELD: Prosecution document
6 No. 5182, the affidavit of Colonel C. R. Stringer,
7 Royal Army Medical Corps, is offered for identifi-
8 cation, and the excerpts marked therein produced in
9 evidence.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution document
12 No. 5182 will receive exhibit No. 1629 for identifi-
13 cation only; and the excerpts therefrom, bearing the
14 same number, will receive exhibit No. 1629A.

15 (Whereupon, document No. 5182 was
16 marked prosecution's exhibit No. 1629 for
17 identification, and the excerpts therefrom
18 were marked prosecution's exhibit No. 1629A
19 and received in evidence.)

20 MR. JUSTICE MANSFIELD: This document de-
21 scribes the conditions in and the disgraceful treat-
22 ment of Allied Senior Officers in KARENKO Camp. Food
23 was grossly inadequate and the officers were sub-
24 jected to every humiliation that could be devised.
25 They were beaten without reason and forced to do

1 heavy manual work. One room was allotted by the
2 Japanese to serve as a hospital ward; there was no
3 equipment and drugs were mainly those smuggled by
4 the prisoners of war. Requests for medicines were
5 largely ignored.

6 There were periods when beatings were worse
7 than at any other times, suggesting that the "hate"
8 periods were ordered by the camp officers who,
9 themselves, took part in assaulting the prisoners.

10 This particular affidavit deals with the
11 same subject matter as the evidence of Brigadier
12 Blackburn.
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2 Japanese to serve as a hospital ward; there was no
3 equipment and drugs were mainly those smuggled by
4 the prisoners of war. Requests for medicines were
5 largely ignored.

6 There were periods when beatings were worse
7 than at any other times, suggesting that the "hate"
8 periods were ordered by the camp officers who,
9 themselves, took part in assaulting the prisoners.

10 This particular affidavit deals with the
11 same subject matter as the evidence of Brigadier
12 Blackburn.
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1 Prosecution tenders at this stage an
2 affidavit which does not appear in the synopsis.
3 It is prosecution's document No. 5172, being the
4 affidavit of James Cross, Lieutenant, Royal
5 Artillery.

6 THE PRESIDENT: Admitted on the usual
7 terms.

8 CLERK OF THE COURT: Prosecution's docu-
9 ment No. 5172 will receive exhibit No. 1630.

10 (Whereupon, the document above re-
11 ferred to was marked prosecution's exhibit
12 No. 1630 and received in evidence.)

13 MR. JUSTICE MANSFIELD: Certain of the
14 excerpts I desire to read, the first one being
15 on the first page, marked with a figure "2" and
16 headed "General."

17 "Out of about 1,000 officers and men who
18 were landed from the Japanese steamer 'England Maru'
19 at Keelung, the northern port of Formosa, on 14th
20 November, 1942, one party consisting of 523 (34
21 officers, 489 other ranks) were numbered off and
22 made to stand for two and a half hours in the
23 street. It was bitterly cold and pouring with rain;
24 we were wearing only tropical clothing. After
25 this we were taken by train to Seiho station and

1 then ordered to march six or seven miles into
2 the mountains. During this march, many of the
3 weaker fell by the wayside but no one was allowed
4 to attend to them and they were beaten and kicked
5 by the Japanese guards until they got up and
6 staggered on their way. No transport was provided
7 for kits and most men threw theirs away after one
8 or two miles' marching. Luckily, it was collected
9 later by the local passenger bus."

10 I then go to the next paragraph.

11 "We were then addressed by a very pompous
12 Japanese officer through an interpreter. This
13 officer stated that he was the Camp Commander, and
14 we subsequently learnt that his name was Lieutenant
15 WAKIYAMA. He continued for over an hour to reel
16 off the Japanese successes in the war, saying that
17 we should receive plenty of bread and meat as soon
18 as they had captured Australia, 'which would be
19 very soon now.' Following that, he read out the
20 rules of the camp and made a special point that if
21 any prisoner laughed at the Japanese or Japanese
22 habits, they would be severely punished. After
23 this we left the school and about half an hour's
24 march brought us to the camp. Here we had to pile
25 all our kit in one room and were then taken four at

1 a time in front of the 'Kempei' (Security Police),
2 completely stripped and searched; approximately
3 one man in four was knocked down for the amusement
4 of the 'Kempei.' We were left with either a shirt
5 or a pair of pants only and given wooden clogs in
6 place of boots or shoes. After this we were taken
7 outside and continued to stand in the rain and
8 cold, dressed only in these clothes, for a further
9 three hours. Eventually, about 2 a. m., we were
10 taken to huts, given one loaf of bread, and told
11 that a vigiland guard of two men must be on duty
12 between Lights out and Reveille."

13 I then go to the next paragraph.

14 "It will be seen from the above story
15 that all men had been on the move from 6 a. m. on
16 the 14th November until 2 a. m. on the 15th
17 November. We had been imprisoned on the ship for
18 three weeks, landed in Formosa straight from the
19 tropical climate of Singapore into a cold and wet
20 climate. All this, coupled with the treatment as
21 described above, resulted in the deaths of at
22 least ten men." They are named.

23 I now proceed to page 3, the section
24 numbered "3," headed "'ork."

25 "'ork was commenced in the Kankaseki

1 Copper Mines in December 1942. From the Camp to
2 the minehead (which was close to the sea) the men
3 had to descend 1,186 steps each morning, and from
4 the minehead to the working levels there were
5 2,000 more steps. It can be imagined how difficult
6 this climb was after a hard day's work.

7 "The work at the beginning consisted of
8 filling small baskets with copper ore by means of
9 Chungkel (pointed hoe).

10 "The working conditions were atrocious.
11 In some holes there was an incessant flow of acid
12 water from the roof, in others it was not possible
13 to stand up; elsewhere there would be constant
14 falling of the roof and, worst of all, in some
15 places the heat was so terrific that it was only
16 possible to lift the Chungkel about three times
17 before getting a blackout and becoming unconscious.
18 It was learned later that these holes had been
19 closed for so many years as the native labour,
20 Chinese, etc., refused to work in them.

21 "The prisoners were organized into work-
22 ing squads, with civilian foremen known as 'Hanchoes'
23 in charge. These hanchos had white bars painted on
24 their mining hats, starting with one bar for the
25 juniors and up to four bars for the seniors. The

1 one bar hanchos were Formosans and the two bars
2 and upwards were Japanese. Japanese sentries from
3 the Camp did not enter the mine but stayed in a
4 guard room at the mine entrance.

5 "Working hours were: leave camp, 0730
6 hours; lunch break, one hour; return, 1800 hours.

7 "Lunch, consisting of cold rice and
8 vegetables, was carried individually in wooden
9 boxes."

10 I skip one paragraph.

11 "For the first six weeks the work was very
12 light and little or no trouble was experienced. The
13 men made certain contacts with some of the Chinese
14 workers who later kept us fairly well supplied with
15 news. The whole of the labour in this mine was
16 forced labour and ranged from children of seven or
17 eight years old up to Chinese political prisoners
18 who had been transported from such places as Hong
19 Kong and Shanghai. At about the end of January,
20 1943, three men reported to the P. A. that the two-
21 bar Hanchos had beaten them up with the long shaft
22 of a hammer. Upon inspection they were found to
23 be black and blue all over. The P. A. asked the
24 Jap officer in charge of work to come and see these
25 men, which he did, and thought it was very amusing.

1 From this time onwards the savage and brutal con-
2 duct of the mine hanchos would have to be seen to
3 be believed, and instead of using the shafts of
4 their hammers, they used the metal end, i. e. the
5 hammer itself on the heads and bodies of the men.

6 "Every evening when the men finished work,
7 they were lined up by the hanchos in the tunnels of
8 the mine and those who, in their opinion, had not
9 done enough work were beaten with hammers until
10 they were unconscious and had to be carried back
11 into the camp by their comrades. It can be imagined
12 the effect of this on all the men; the mine had
13 become a veritable 'hell spot' and the men dreaded
14 the coming of each dawn when they would have to go
15 into the mine again. It was learned later that
16 the threat of being sent to the copper mines was
17 used constantly in the other POW camps on the Island
18 as an intimidation.

19 "Repeated attempts were made by us with
20 the Japs to improve working conditions, but it is
21 certain that this treatment was in full accordance
22 with the policy of the Camp Commander (Lieutenant
23 WAKIYAMA) who refused to interfere in any way."

24 I now pass to the next page, the first
25 complete paragraph on page 5 of the copy, starting

1 "as a result."

2 "As a result of this treatment, by 10th
3 May 1943 less than fifty per cent of the men were
4 fit to walk to the mine. The Camp Commander said
5 this was due to Red Cross food. During the next
6 three months, men were constantly beaten, particu-
7 larly by the hanchos in the mine, without provo-
8 cation. On one occasion ninety per cent of the
9 sick were forced to work because of an inspection
10 by the Commander in Chief."

11 I now pass to the first paragraph at the
12 bottom of page 5, the section numbered "4," marked
13 "Medical."

14 "On our arrival at Kinkaseki Camp in
15 November 1942 the Japanese medical staff consisted
16 of one Sergeant TASHIRO (a brutal and ruthless
17 beast) and two privates. The day after we arrived,
18 Gunner Griffiths was taken seriously ill and the
19 Japs asked if there was a doctor in the camp.
20 Captain Seed thereupon moved to the hospital,
21 examined this man and diagnosed diptheria. At
22 this the Jap medical staff ran away and would not
23 come near. Captain Seed did what he could with
24 the drugs which he had carried from Singapore, but
25 Gunner Griffiths died within 24 hours.

1 "The Medical Officer was assisted by
2 three orderlies (one R. A. M. C. and two regimental
3 orderlies, and Captain Badgett, A. D. Corps). Each
4 morning the Jap medical sergeant would appear and
5 start the day's work by adversely beating up the
6 doctor and his orderlies. Sick parade was held by
7 the Jap sergeant and the cure in nearly all cases
8 was to be knocked to the ground with a big stick;
9 as a consequence, men who were really sick did not
10 report so the doctor managed to slip round the
11 huts at the risk of a good beating and attend to
12 the more seriously ill. During December 1942 ten
13 men died; four in January 1943, and ten in February."

14 I now pass to page 6, the second complete
15 paragraph of page 6.

16 "Immediately before the work parade each
17 morning there was an emergency sick parade held in
18 the camp office and taken by the Jap medical sergeant.
19 Again treatment was brutal and the only people who
20 were excused from work were men with cuts sustained
21 in the mine. Men with temperatures of 102 and 103
22 were always ordered to work. Almost every morning
23 the P. A. or his assistant would appeal to the Jap
24 officer when the men were actually on parade and
25 sometimes succeeded in getting these men off work at

1 the last minute; often at the expense of a beating
2 by the medical sergeant. In the hospital almost
3 every day the medical sergeant would beat up a few
4 patients; many of them died within a few hours.

5 "Sick men's rations were cut in half by
6 the Japs and a great number ordered no food at all,
7 the Japanese system being: 'No work - no food.'
8 We had our own methods of dealing with this matter,
9 and sick men in most cases received as much as
10 they could eat."

11 Missing two paragraphs:

12 "It is interesting to note that all the
13 articles of first aid had been confiscated from us
14 and locked up by the Japs. This request for first
15 aid equipment in the mine was repeated verbally by
16 the P. A. on 1st, 5th and 16th February 1943, and
17 afterwards at regular intervals. It was, however,
18 not until February 1944 that two medical orderlies
19 were permitted to accompany the working party.

20 "Very few, if any, drugs were provided by
21 the Japs, and we had to manage with the few which
22 we had been able to carry with us from Singapore.
23 Later, officers were allowed to buy drugs for the
24 Camp. On 15th June 1943 Sergeant Davies had acute
25 appendicitis; the Japs told the doctor to remove

1 it but offered no help. After a long argument he
2 was eventually taken to the mining company hospital,
3 and a successful operation was performed by the Jap
4 civilian doctor.

5 "The death rate was now declining but
6 so was the health of the men, especially those
7 working in the mine, and there were innumerable
8 mine accidents."

9 Then passing to page 7, the section marked
10 "5, Food":

11 "Upon our arrival in Kinkaseki Camp the
12 food consisted of about 400 gms per day of rice and
13 a little vegetable."

14 Then, the next page, No. 8, the second
15 paragraph on that page:

16 "In January 1943 the Commander instituted
17 a most elaborate scheme whereby these men who kept
18 good attendance in the mine (i. e. were not sick)
19 received up to seven extra riceballs per day. Again
20 at the expense of the remainder. This was a most
21 cunning scheme on their part but a most pernicious
22 one as far as we were concerned, and we had great
23 difficulty in persuading men who were really sick
24 not to go to work in order to get the extra food,
25 but it was a great temptation in those days of

1 starvation."

2 I turn now to page 11, which contains
3 extracts from the diary of the deponent, and I
4 read the excerpts dated the 23rd of January and
5 28th of January, 1943.

6 "23rd January 1943: Men who had not
7 worked well in the mine were made to run up and
8 down a hill and beaten as they ran. During the
9 evening in the pouring rain, 15 men all sick and
10 mostly from hospital, were lined up and ordered
11 to take off their shirts, made to do P. T. and were
12 beaten. The reason for this was that they had
13 failed to have their identification photographs
14 taken. Gr. Black and L/Cpl. Paterson, A. D. C.,
15 never recovered from this and died in the camp
16 later.

17 "28th January 1943: Seven men of the
18 dysentery ward caught by Camp Commander playing
19 cards. They were sentenced to be handcuffed
20 together (two couples and three) for three days.
21 One of the men, Gunner Pestell who was seriously
22 ill at the time, died three weeks later."

23 THE PRESIDENT: You have quite a few
24 excerpts to read from this affidavit?
25

 MR. JUSTICE MANSFIELD: Yes.

1 THE PRESIDENT: We will adjourn now until
2 half-past nine tomorrow morning.

3 (Whereupon, at 1600, an adjourn-
4 ment was taken until Thursday, 19 December
5 1946, at 0930.)
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